THE NATIONAL ARCHIVES

FEDERAL REGISTER

VOLUME 15 NUMBER 23

Washington, Friday, February 3, 1950

TITLE 3—THE PRESIDENT

EXECUTIVE ORDER 10101

AMENDMENT OF EXECUTIVE ORDER NO. 9746 OF JULY 1, 1946,[1] RELATING TO THE PANAMA CANAL

By virtue of the authority vested in me by the Constitution and laws of the United States, including the Canal Zone Code, approved July 19, 1934, as amended, and as President of the United States, Executive Order No. 9746 of July 1, 1946, entitled "Authorizing the Secretary of War and the Governor of the Panama Canal To Perform Certain Functions Relating to the Panama Canal and the Canal Zone", is hereby amended as follows:

1. Section 4 of such order is amended by adding thereto at the end thereof the following paragraph:

"(g) Canal Zone Code, title 2, section 5 (48 U. S. C. 1305), to the extent that such section authorizes the establishment of the organization for the care, maintenance, sanitation, operation, and protection of the Panama Canal and the government of the Canal Zone, the definition of the duties of the officers, employees, and agents in such organization, and the making of such changes in organization and duties as may from time to time be deemed necessary in the interest of good administration: *Provided*, (1) that such organization shall be known as The Panama Canal; (2) that such organization shall be under the direction of the Governor of the Panama Canal subject to the supervision of the Secretary of the Army, who shall be the representative of the President for such purpose; and (3) that there shall be in such organization a Lieutenant Governor of the Panama Canal, who shall (a) be appointed by the Governor of the Panama Canal subject to the approval of the Secretary of the Army, (b) perform such duties as the Governor of the Panama Canal shall designate, and (c), unless the Secretary of the Army shall designate another person for such purpose, act as Governor of the Panama Canal during the absence or disability of the Governor or in the event of a vacancy in the office of Governor."

[1] 3 CFR, 1946 Supp.

2. The words "Secretary of the Army" are substituted for the words "Secretary of War" wherever the latter words occur in such order or in the title thereof.

HARRY S. TRUMAN

THE WHITE HOUSE,
January 31, 1950.

[F. R. Doc. 50-1008; Filed, Feb. 1, 1950; 4:08 p. m.]

EXECUTIVE ORDER 10102

TRANSFER OF CERTAIN BUSINESS OPERATIONS, FACILITIES AND APPURTENANCES FROM THE PANAMA CANAL TO THE PANAMA RAILROAD COMPANY

By virtue of the authority vested in me by section 51 of title 2 of the Canal Zone Code, as amended by section 2 of the act of August 12, 1949, 63 Stat. 600 (Public Law 223, 81st Congress), it is ordered as follows:

SECTION 1. The following-described buildings in the Canal Zone, now owned by The Panama Canal but utilized by the Panama Railroad Company in its commissary and harbor-terminals operations, are hereby transferred to the Panama Railroad Company:

(a) Commissary Annex, Ancon.
(b) Commissary, Madden Dam.
(c) Commissary, Diablo Heights.
(d) Combination Storehouse, Cristobal.

SEC. 2. The following-described docks and piers in the Canal Zone, now owned by The Panama Canal but operated by the Panama Railroad Company, are hereby transferred to the Panama Railroad Company:

(a) At the Atlantic terminal: Piers Nos. 6 and 16, and Mindi Dock.

(b) At the Pacific terminal: Docks Nos. 6 and 7, and Pier 18.

SEC. 3. Dock No. 16 and the north half of Dock No. 15, at the Pacific terminal, shall remain the property of The Panama Canal but shall continue to be operated by the Panama Railroad Company. As the sole consideration for the occupancy and use of the docks referred to in this section, the Panama Railroad

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Division of the Federal Register, the National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U. S. C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

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Company is hereby obligated to maintain and repair such docks.

SEC. 4. All such coal-handling facilities, structures and appurtenances at Cristobal, Canal Zone, as are owned by The Panama Canal and form a part of the Cristobal Coaling Plant (the plant as a whole being operated by the Panama Railroad Company but owned in part by The Panama Canal and in part by the Panama Railroad Company) are hereby transferred to the Panama Railroad Company.

SEC. 5. The railroad roundhouses and car shops, together with appurtenant structures and facilities, in the Canal Zone, devoted to the maintenance and repair of railroad locomotives and cars and heretofore maintained and operated by The Panama Canal, shall hereafter be maintained and operated by the Panama Railroad Company; and there are hereby transferred to the Panama Railroad Company all of the personnel, property (with the exception of Cristobal Roundhouse which is now owned by the Panama Railroad Company), records, related assets, contracts, obligations, and liabilities of or appertaining to the property required by this section to be hereafter maintained and operated by the Panama Railroad Company.

SEC. 6. With the exception of the oil-storage tanks owned by The Panama Canal, the pipe lines connecting such tanks with the manifolds and the distribution lines from such tanks, which facilities are used predominantly for governmental, rather than commercial, purposes, all of the oil-handling facilities heretofore maintained and operated by The Panama Canal in the Canal Zone shall hereafter be maintained and operated by the Panama Railroad Company; and there are hereby transferred to the Panama Railroad Company all of the personnel, property, records, related assets, contracts, obligations, and liabilities of or appertaining to the facilities required by this section to be hereafter maintained and operated by the Panama Railroad Company.

SEC. 7. The printing plant at Mount Hope, Canal Zone, known as the Panama Canal Press, now owned in part by The Panama Canal and in part by the Panama Railroad Company (the latter owning the building and certain of the equipment), and heretofore maintained and operated by The Panama Canal, shall hereafter be maintained and operated by the Panama Railroad Company; and there are hereby transferred to the Panama Railroad Company all of the personnel, property (so far as not already owned by the Panama Railroad Company), records, related assets, contracts, obligations, and liabilities of or appertaining to such printing plant: *Provided, however,* that such transfer shall not include the printing supplies and materials on hand at the time of the transfer.

SEC. 8. The gasoline service stations heretofore established, maintained, and operated by The Panama Canal in the Canal Zone shall hereafter be maintained and operated by the Panama Railroad Company; and there are hereby transferred to the Panama Railroad Company all of the personnel, property, records, related assets, contracts, obligations, and liabilities of or appertaining to such facilities.

SEC. 9. The transfers from The Panama Canal to the Panama Railroad Company of personnel, property, records, related assets, contracts, obligations, and liabilities accomplished by this order shall, as provided by law, be deemed to have been accepted and assumed by the Panama Railroad Company without the necessity of any act or acts on the part of the said Company except as otherwise stipulated in the provisions of law applicable to the said Company, including the provisions of section 246 of title 2 of the Canal Zone Code, as added by section 2 of the act of June 29, 1948, 62 Stat. 1076, relative to adjustment of the investment of the United States in the said Company.

SEC. 10. Executive Order No. 7021 of April 19, 1935, authorizing the Governor of The Panama Canal to arrange for the operation by the Panama Railroad Company of Panama Canal piers, and Executive Order No. 9479 of September 6, 1944,[1] amending that order, are hereby revoked.

SEC. 11. The foregoing provisions of this order shall take effect on July 1, 1950, except that section 5 and section 9 so far as it relates to section 5 shall become effective on February 1, 1950.

HARRY S. TRUMAN

THE WHITE HOUSE,
January 31, 1950.

[F. R. Doc. 50-1009; Filed, Feb. 1, 1950; 4:09 p. m.]

EXECUTIVE ORDER 10103

AMENDMENT OF EXECUTIVE ORDER NO. 9721 OF MAY 10, 1946,[2] PROVIDING FOR THE TRANSFER OF PERSONNEL TO CERTAIN PUBLIC INTERNATIONAL ORGANIZATIONS

By virtue of the authority vested in me by the Civil Service Act (22 Stat. 403) and by section 1753 of the Revised Statutes of the United States, and as President of the United States, it is ordered that Executive Order No. 9721 of May 10, 1946, authorizing the transfer, under certain conditions, of civilian employees in the Executive branch of the Federal Government to public international organizations in which the United States Government participates, be, and it is hereby, amended in the following respects:

1. Section 1 is amended, effective as of May 10, 1946, by adding at the end thereof the following sentence:

"Any employee so transferred shall, for a period not to exceed three years from the date of transfer and while employed by the said international organization, be considered as being on leave of absence from his employment by the Federal Government: *Provided*, that the employee is subsequently reemployed by the Federal Government in accordance with section 3 of this order."

2. Section 2, which by its terms became inoperative on May 10, 1949, is revived and amended, effective as of that date, to read as follows:

"Any employee serving under a war-service indefinite appointment who is transferred to a public international organization pursuant to this order and, while serving in such organization and within three years from the date of such transfer, is either reached in regular order for probational appointment from a civil-service register appropriate for filling the position in which he was serving or could, with the approval of the head of such agency, have been given a competitive status under Civil Service Rule III if he had remained in the position in which he last served in a Federal agency, shall be considered as having acquired a competitive status as of the date he is reached for probational appointment or classification. Any employee transferred to a public international organization pursuant to this order who was serving in such organization on September 30, 1949, and had served continuously therein from the date of his transfer shall be considered, so far as Executive Order No. 10080 of September 30, 1949,[3] is concerned, as having been in an active-duty status on September 30, 1949, in the position in the Federal Government from which he was transferred and as having had continuous service with the Federal Government from the date of his transfer to September 30, 1949."

HARRY S. TRUMAN

THE WHITE HOUSE,
February 1, 1950.

[F. R. Doc. 50-1010; Filed, Feb. 1, 1950; 4:09 p. m.]

EXECUTIVE ORDER 10104

DEFINING CERTAIN VITAL MILITARY AND NAVAL INSTALLATIONS AND EQUIPMENT AS REQUIRING PROTECTION AGAINST THE GENERAL DISSEMINATION OF INFORMATION RELATIVE THERETO

WHEREAS section 795 of title 18 of the United States Code provides:

"(a) Whenever, in the interests of national defense, the President defines certain vital military and naval installations or

[1] 3 CFR, 1944 Supp.
[2] 3 CFR, 1946 Supp.
[3] 14 F. R. 5985.

equipment as requiring protection against the general dissemination of information relative thereto, it shall be unlawful to make any photograph, sketch, picture, drawing, map, or graphical representation of such vital military and naval installations or equipment without first obtaining permission of the commanding officer of the military or naval post, camp, or station, or naval vessels, military and naval aircraft, and any separate military or naval command concerned, or higher authority, and promptly submitting the product obtained to such commanding officer or higher authority for censorship or such other action as he may deem necessary.

"(b) Whoever violates this section shall be fined not more than $1,000 or imprisoned not more than one year, or both.";

AND WHEREAS section 797 of title 18 of the United States Code provides:

"On and after thirty days from the date upon which the President defines any vital military or naval installation or equipment as being within the category contemplated under section 795 of this title, whoever reproduces, publishes, sells, or gives away any photograph, sketch, picture, drawing, map, or graphical representation of the vital military or naval installations or equipment so defined, without first obtaining permission of the commanding officer of the military or naval post, camp, or station concerned, or higher authority, unless such photograph, sketch, picture, drawing, map, or graphical representation has clearly indicated thereon that it has been censored by the proper military or naval authority, shall be fined not more than $1,000 or imprisoned not more than one year, or both.":

NOW, THEREFORE, by virtue of the authority vested in me by the foregoing statutory provisions, and in the interests of national defense, I hereby define the following as vital military and naval installations or equipment requiring protection against the general dissemination of information relative thereto:

1. All military, naval, or air-force installations and equipment which are now classified, designated, or marked under the authority or at the direction of the President, the Secretary of Defense, the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force as "top secret", "secret", "confidential", or "restricted", and all military, naval, or air-force installations and equipment which may hereafter be so classified, designated, or marked with the approval or at the direction of the President, and located within:

(a) Any military, naval, or air-force reservation, post, arsenal, proving ground, range, mine field, camp, base, airfield, fort, yard, station, district, or area.

(b) Any defensive sea area heretofore established by Executive order and not subsequently discontinued by Executive order, and any defensive sea area hereafter established under authority of section 2152 of title 18 of the United States Code.

(c) Any airspace reservation heretofore or hereafter established under authority of section 4 of the Air Commerce Act of 1926 (44 Stat. 570; 49 U. S. C. 174) except the airspace reservation established by Executive Order No. 10092 of December 17, 1949.

(d) Any naval harbor closed to foreign vessels.

(e) Any area required for fleet purposes.

(f) Any commercial establishment engaged in the development or manufacture of classified military or naval arms, munitions, equipment, designs, ships, aircraft, or vessels for the United States Army, Navy, or Air Force.

2. All military, naval, or air-force aircraft, weapons, ammunition, vehicles, ships, vessels, instruments, engines, manufacturing machinery, tools, devices, or any other equipment whatsoever, in the possession of the Army, Navy, or Air Force or in the course of experimentation, development, manufacture, or delivery for the Army, Navy, or Air Force which are now classified, designated, or marked under the authority or at the direction of the President, the Secretary of Defense, the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force as "top secret", "secret", "confidential", or "restricted", and all such articles, materials, or equipment which may hereafter be so classified, designated, or marked with the approval or at the direction of the President.

3. All official military, naval, or air-force books, pamphlets, documents, reports, maps, charts, plans, designs, models, drawings, photographs, contracts, or specifications which are now marked under the authority or at the direction of the President, the Secretary of Defense, the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force as "top secret", "secret", "confidential", or "restricted", and all such articles or equipment which may hereafter be so marked with the approval or at the direction of the President.

This order supersedes Executive Order No. 8381 of March 22, 1940 [1], entitled "Defining Certain Vital Military and Naval Installations and Equipment".

HARRY S. TRUMAN

THE WHITE HOUSE,
February 1, 1950.

[F. R. Doc. 50-1011; Filed, Feb. 1, 1950; 4:09 p. m.]

RULES AND REGULATIONS

TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service, Department of Justice

Subchapter B—Immigration Regulations

PART 110—PRIMARY INSPECTION AND DETENTION

DESIGNATION OF NEAH BAY, WASHINGTON, AS A CLASS A PORT OF ENTRY FOR ALIENS

JANUARY 20, 1950.

Section 110.1, *Designated ports of entry except by aircraft*, Chapter I, Title 8 of the Code of Federal Regulations, is amended by inserting "Neah Bay, Wash." between "Metaline Falls, Wash." and "Northport, Wash." in the list of Class A ports of entry under District No. 12—Seattle, Washington.

This order shall be considered effective as of January 2, 1950. Compliance with the provisions of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U. S. C. 1003) is impracticable because Neah Bay, Washington, was designated as a customs port of entry, effective January 2, 1950, by Executive Order 10088 (14 F. R. 7287), and for practical administrative reasons the date of designation for immigration purposes should be the same as that for customs purposes.

(Sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 37, 54 Stat. 675; 8 U. S. C. 102, 222, 458)

WATSON B. MILLER,
Commissioner of Immigration and Naturalization.

Approved: January 30, 1950.

PEYTON FORD,
Acting Attorney General.

[F. R. Doc. 50-963; Filed, Feb. 2, 1950; 8:46 a. m.]

TITLE 15—COMMERCE AND FOREIGN TRADE

Chapter I—Bureau of the Census, Department of Commerce

[Foreign Commerce Statistical Decision 71]

PART 30—FOREIGN TRADE STATISTICS

COUNTRY OF ORIGIN FOR STATISTICAL PURPOSES

1. The title of § 30.10 is amended to read as follows: "§ 30.10. *Classification of countries; country of origin of imports; invoice information on country of origin; nationality and motive power of importing vessels.*"

2. § 30.10 (b) is amended to read as follows:

(b) For statistical purposes, importers shall provide information with respect to the country of origin of the merchandise on all entries for consumption, entries for warehouse, and withdrawals from warehouse for consumption. As a basis for such information, importers shall give the necessary instructions to their foreign suppliers, in accordance with paragraph (c) of this section, for a statement as to the country of origin of the imported merchandise to appear on all invoices covering shipments to the United States.

By country of origin is meant the country of production or manufacture of the imported merchandise. Further labor, work, or material added to an article in another country must effect a substantial transformation in order to render such other country the "country of origin." Such substantial transformations include: Smelting of ores; milling or refining of crude products;

[1] 3 CFR, Cum. Supp.

tanning of hides; weaving of yarns; bleaching, printing, or dyeing of textile fabrics; conversion of metal into a machine or appliance; cutting of stones; and the like. The country of origin is not changed when the merchandise is subjected in another country merely to minor manipulations, such as sorting, grading, screening, cleaning, packaging, re-packaging, and the like.

When the merchandise is invoiced in, or exported from, a country other than that in which it originated, the actual country of origin should be specified, rather than the country of invoice or exportation. If in the case of such commodities as scrap metal, industrial diamonds, or antiques, the origin of the merchandise is not known or may not be ascertained with reasonable effort, the country from which the merchandise has been shipped shall be shown and indicated as the "Country of Shipment."

3. Section 30.10 (c) is amended to read as follows:

(c) The country of origin as defined in paragraph (b) of this section shall be shown, in connection with the description of the merchandise referred to, on all invoices filed by the importer after May 1, 1950, with entries for consumption and entries for warehouse. In the case of consular invoices, Collectors of Customs may waive this requirement when the invoice was certified before April 1, 1950.

The country of origin shown by the United States importer on entries for consumption, entries for warehouse, and withdrawals from warehouse for consumption shall correspond to that appearing on the related invoices. In cases where the invoice from the foreign supplier is not available at the time of entry, the importer shall enter the correct country of origin according to his best knowledge. In those cases where the importer has reliable knowledge that the country of origin shown on the invoice is incorrect, he shall enter on the form the correct country of origin according to his best knowledge, indicating that it is a correction.

4. Paragraph (d) is added to § 30.10 to read as follows:

(d) Importers shall provide information on entries for consumption, entries for warehouse, and withdrawals from warehouse for consumption, on the nationality and motive power of the vessel from which the imported articles were landed in the United States.

(R. S. 161; 5 U. S. C. 22. Interpret or apply R. S. 335, as amended, 336, as amended, 337, as amended, 4200 as amended, sec. 1, 18 Stat. 352, as amended, sec. 1, 27 Stat. 197, as amended, 32 Stat. 172, as amended, sec. 7, 44 Stat. 572, as amended, sec. 1, 52 Stat. 8; 15 U. S. C. 173, 174, 176, 176a, 177, 178, 46 U. S. C. 92, 95, 49 U. S. C. 177)

Dated: January 11, 1950.

[SEAL] PHILIP M. HAUSER,
Acting Director,
Bureau of the Census.

Approved: January 31, 1950.

THOMAS C. BLAISDELL, Jr.,
Acting Secretary of Commerce.

[F. R. Doc. 50-961; Filed, Feb. 2, 1950; 8:46 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[File No. 21-416]

PART 187—ADVERTISING AND SALES PROMOTION OF MAIL ORDER INSURANCE

PROMULGATION OF TRADE PRACTICE RULES

Due proceedings having been held under the trade practice conference procedure in pursuance of the act of Congress approved September 26, 1914, as amended (Federal Trade Commission Act), and other provisions of law administered by the Commission;

It is now ordered, That the trade practice rules of Group I, as hereinafter set forth, which have been approved by the Commission in this proceeding, be promulgated as of February 3, 1950.

Statement by the Commission. Trade practice rules relating to the advertising and sales promotion of mail order insurance, as hereinafter set forth, are promulgated by the Federal Trade Commission under the trade practice conference procedure.

Primary objectives of the rules are the prevention of deception of purchasers as to coverage and benefits afforded by insurance sold and offered for sale by industry members and the maintenance of fair competitive conditions in the industry. The rules are to be applied to such end and to the exclusion of any acts or practices which suppress competition or which otherwise restrain trade.

The industry for which the rules have been established is that comprised of the persons, firms, corporations, and organizations engaged in the sale and offering for sale of insurance outside the State of their domicile, through the mails or other interstate communications or facilities and without the employment in connection therewith of any agent licensed in the State where the sale of the insurance is promoted or in which delivery of the policy of the insurance is to be made. The rules are applicable to the advertising and sales promotion of all kinds of insurance sold or offered for sale in such manner and under such circumstances. The establishment and promulgation of said rules by the Commission is not, however, to be understood as delimiting the jurisdiction of the Commission with respect to the business of insurance under the Clayton and Federal Trade Commission Acts as such acts are affected by Public Law 15, 79th Congress, as amended.

The trade practice conference proceedings under which the rules have been approved were instituted upon application from members of the industry. A general industry conference was held in Chicago, Illinois, at which proposals for rules were received and given consideration. Thereafter, a draft of proposed rules in appropriate form was made available by the Commission upon public notice whereby all interested or affected parties were afforded opportunity to present their views, including such pertinent information, suggestions, or objections as they might desire to offer, and to be heard in the premises. Following such public hearing, which was held in Washington, D. C., all matters presented or otherwise received in the proceedings were duly considered.

Thereafter, and in consideration of the entire matter, final action was taken by the Commission whereby it approved the trade practice rules hereinafter appearing. Such rules become operative thirty (30) days after date of promulgation.

General statement. The unfair trade practices embraced in the Group I rules herein are considered to be unfair methods of competition, unfair or deceptive acts or practices, or other illegal practices, prohibited under laws administered by the Federal Trade Commission; and appropriate proceedings in the public interest will be taken by the Commission to prevent the use, by any person, partnership, corporation, or other organization subject to its jurisdiction, of such unlawful practices in commerce.

Meaning of "advertisement" as used in these rules. As used in these rules, the term "advertisement" shall be understood as meaning any notice or presentation which is used, directly or indirectly, in the solicitation or promotion of the sale (including renewals and reinstatements) of insurance, whether such notice or presentation be disseminated through the use of the mail, the radio, or other media. The term shall be understood as embracing all newspaper and periodical advertisements, radio broadcasts, letters,[1] testimonials, endorsements, and all other representations or communications which are used, directly or indirectly, in the solicitation or promotion of the sale of insurance.

GROUP I

Sec.

187.1 Deception (General).
187.2 Misleading descriptions of policies, benefits, or coverages.
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187.6 Misuse of the word "All" as applied to benefits afforded.
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187.9 Health policies; misuse of synonymous names for the same sickness or physical condition.
187.10 Health or accident policies; Medical attention or confinement.
187.11 Limitation in time or in amount of benefits payable.
187.12 Allocation of benefits under a "Family Group" policy.
187.13 Time lapse or lag contained in the policy.
187.14 Misrepresenting the amount of benefits paid under policies issued.

[1] The word "letters" as here used is not to be understood as embracing such letters or post cards which, though mentioning the general kind of insurance (e. g., "Life," "Accident," "Hospitalization," etc.), give no information as to losses, causes of losses, benefits, or premiums or rates, and serve the purpose of merely inviting inquiries or a show of interest on the part of the recipients; nor as embracing such other letters, post cards, or communications to an insured which relate to insurance previously purchased by him and in effect, or to the premiums which are or may become due on such policies.

Sec.
187.15 Deceptive use or imitation of corporate names, trade names, or trademarks of competitors.
187.16 Misrepresenting savings effected by selling methods.
187.17 Claim of approval by federal or state agency.
187.18 Misrepresentations in advertisements improper though policy be available for inspection by prospective insured.
187.19 Deceptive testimonials.
187.20 Misrepresentation of financial condition.
187.21 Contingent liability of insured.
187.22 Misrepresenting that policies are confined, or are especially advantageous, to a special group.
187.23 Deceptive "Salesmen Wanted" advertisements.
187.24 Aiding or abetting use of unfair trade practices.

AUTHORITY: §§ 187.1 to 187.24 issued under sec. 6, 38 Stat. 722; 15 U. S. C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U. S. C. 45.

GROUP I

§ 187.1 *Deception (General).* It is an unfair trade practice for an industry member to use, or cause to be used, any advertisement which has the capacity and tendency or effect of misleading or deceiving purchasers or prospective purchasers of insurance in any respect, whether as to losses or causes of loss insured, the benefits payable, premiums to be paid, or otherwise. [Rule 1]

§ 187.2 *Misleading descriptions of policies, benefits, or coverages.* (a) It is an unfair trade practice for an industry member to use, or cause to be used, any advertisement in which reference is made to any insurance policy, insurance benefit, or insurance coverage, by use of a descriptive term which has the capacity and tendency or effect of misleading or deceiving purchasers or prospective purchasers with respect to coverage, losses, or causes of loss, benefits payable, or otherwise.

(b) The following are examples of the type of descriptive terms inhibited by this section:

(1) Use of the term "all," "complete," or "full" as descriptive of insurance coverage of a policy when such coverage is subject to an exception and is not in fact full and complete; and

(2) Use of the terms "hospitalization," "accident," or "life" as descriptive of an insurance policy which provides benefits for only unusual or unique accidents, sicknesses, or causes of death: *Provided, however,* That such terms may be used as descriptive of such policies when in immediate conjunction therewith there is clear indication that the benefits are limited to such unusual or unique accidents, sicknesses, or causes of death (e. g., "Leukemia Hospitalization," "Death by Drowning," etc.). [Rule 2]

§ 187.3 *Deceptive concealment of exceptions, limitations, and reductions in policies.* It is an unfair trade practice for an industry member to use, or cause to be used, any advertisement in which representation is made, directly or indirectly, that a loss or cause of loss will be covered or that a benefit will be payable when such coverage or benefit is subject to unusual exceptions, limitations, or reductions, and nondeceptive[1] disclosure thereof is not made in the advertisement.

Among the exceptions, limitations, or reductions which are required to be disclosed by the foregoing paragraph of this section are the following:

(a) Confinement of coverage to diseases common to both sexes;

(b) Limitation of coverage to diseases common to but one sex when the insurance policies are being offered for sale to the opposite sex;

(c) Requirement of gainful employment on the part of the insured as a prerequisite to payments of benefits;

(d) Reduction of benefits by reason of the absence of gainful employment on the part of the insured;

(e) Nonpayment or reduction of benefits by reason of the applicability of workmen's compensation laws with respect to a loss or cause of loss covered or purported to be covered by an insurance policy. [Rule 3]

§ 187.4 *"Non-medical" policies.* It is an unfair trade practice for an industry member to use, or cause to be used, any advertisement containing any representation or implication—

(1) That a policy will be issued without medical examination of the insured; or

(2) That the condition of the health of the insured at the time of issuance of the policy will not affect the liability of the insurer thereunder; or

(3) That the insurer will not, as a claims practice, require proof of good health of the insured at the time of the issuance of the policy,

when such is not the fact.

Under the foregoing, when policies are advertised as being issued without medical examination (or as "non-medical" policies) and an insurer under the policy requires proof of the good physical and/or mental condition of the insured at the time of the issuance of the policy as a prerequisite to the payment of any benefit or benefits which may accrue thereunder, such fact shall be disclosed in a nondeceptive[1] manner in the advertisement. [Rule 4]

§ 187.5 *Different benefits for the same loss.* It is an unfair trade practice for an industry member to make mention in any advertisement of any benefits provided by a policy when lesser benefits are payable for the same loss under different conditions unless (a) such lesser benefits are shown in conjunction and with equal prominence, or (b) there is nondeceptive[1] disclosure as to the conditions under which the advertised benefits are afforded. [Rule 5]

§ 187.6 *Misuse of the word "All" as applied to benefits afforded.* It is an unfair trade practice to use, or cause to be used, any advertisement which contains any representation or implication that the insurance advertised will provide for payment of all costs, hospitalization or medical expense, or will replace all income lost by reason of death, illness, hospitalization, or medical attention, when in truth and in fact the insurer will not be obligated to indemnify the insured or his beneficiary for all possible costs or lost income that may result from the cause of loss to which the representation relates. [Rule 6]

§ 187.7 *Benefits, losses, and causes of loss not applicable to all ages.* It is an unfair trade practice for any industry member to use, or cause to be used, an advertisement in which mention is made of a benefit, loss, or cause of loss, when the terms of the policy limit the same to any certain age group, without nondeceptive[1] disclosure of such fact. [Rule 7]

§ 187.8 *Sicknesses covered by health policies.* It is an unfair trade practice for any industry member to use, or cause to be used, any advertisement of a health policy containing mention or reference to a cause of loss, sickness, or physical condition which rarely, if ever, is found in the age groups covered by the terms of the policy, or which rarely, if ever, would occur because of restrictive provisions in the policy (as for example, whooping couph and chicken-pox in the case of policies issued only to persons more than 17 years of age; and leprosy or bubonic plague in the case of policies issued only to persons resident in the United States and Canada), unless nondeceptive[1] disclosure is made in the advertisement of the unlikelihood of the assured incurring an insured loss. [Rule 8]

§ 187.9 *Health policies; misuse of synonymous names for the same sickness or physical condition.* It is an unfair trade practice for any industry member to use, or cause to be used, any advertisement in which mention is made of the same disease or physical condition by different names which are of identical meaning and to thereby create the impression that broader coverage will be afforded than is in fact the case. [Rule 9]

§ 187.10 *Health or accident policies; medical attention or confinement.* When payment of benefits for any loss referred to in an advertisement is, under the terms of the policy advertised, made dependent on certain resulting disabilities or confinement of the insured, or upon proof or receipt of medical attention or hospitalization, the failure to make nondeceptive[1] disclosure of such conditions in the advertisement is an unfair trade practice. [Rule 10]

§ 187.11 *Limitation in time or in amount of benefits payable.* It is an unfair trade practice for any industry member to use any advertisement in which representation is made as to weekly, monthly, or other periodic benefits being payable under a policy without nondeceptive[1] disclosure in the advertisement of the limitation of time over which benefits will be paid or of the number of

[1] The term "nondeceptive" as here used shall be construed as requiring that the disclosure be conspicuous and in close conjunction with the statement of benefits or other matter to which it relates and not be presented in an ambiguous fashion, or be minimized, rendered obscure, or so placed as likely to be unnoticed by a prospective insured, or intermingled with the context of the advertising or representation so as to be confusing or misleading.

payments or total amount thereof which will be made if, by the terms of the policy, payment of benefits for any loss or aggregate of losses is limited in time, number, or total amount. [Rule 11]

§ 187.12 *Allocation of benefits under a "Family Group" policy.* It is an unfair trade practice for an industry member to use any advertisement in which mention is made of a benefit payable under a "Family Group" policy when the full amount of such benefit is not payable upon the death of only one member of the family and nondeceptive[1] disclosure of such fact is not made in the advertisement. [Rule 12]

§ 187.13 *Time lapse or lag contained in the policy.* It is an unfair trade practice for any industry member to use or cause to be used any advertisement regarding losses insured or benefits payable under a policy when, by the terms of the policy, there exists a time lapse or lag either between the date of the issuance of the policy and the time that losses are assured, or between the date of losses incurred and the time that benefits accrue, unless nondeceptive[1] disclosure of such time lapse or lag is made in the advertisement. [Rule 13]

§ 187.14 *Misrepresenting the amount of benefits paid under policies issued.* It is an unfair trade practice for an industry member to make any representation in any advertisement relating to the amount of benefits which has been paid to holders of policies issued by the member which has the capacity and tendency or effect of deceiving purchasers or prospective purchasers.

Pursuant to the foregoing no representation shall be made by an industry member as to any amount of benefits paid under policies issued by him which creates the impression that the amount stated is a total of benefits paid on claims arising under a certain type of insurance when the amount stated includes amounts paid on claims arising out of other types of policies. [Rule 14]

§ 187.15 *Deceptive use or imitation of corporate names, trade names, or trademarks of competitors.* It is an unfair trade practice for any industry member to use, or cause to be used, any advertisement in which the corporate name, trade name, or trade-mark of a competitor is so used, imitated, or simulated as to have the capacity and tendency or effect of deceiving purchasers or prospective purchasers of insurance as to the identity of the insurer or the true nature or character of the insurance advertised. [Rule 15]

§ 187.16 *Misrepresenting savings effected by selling methods.* It is an unfair trade practice for any industry member to use, or cause to be used, any advertisement in which it is represented, directly or indirectly, that an industry member's insurance can be, and is being, offered for sale at a lesser cost to the insured than other similar insurance of competitors because of the method employed by the industry member in effecting the sale or servicing thereof, unless—

(1) The cost of such insurance to the insured is in fact less than that charged by competitors for similar insurance; and

(2) Such savings is attributable to the method of sale and servicing of insurance employed by the industry member. [Rule 16]

§ 187.17 *Claim of approval by federal or state agency.* It is an unfair trade practice for an industry member to represent or infer in any advertisement that any insurer, or any policy or an advertisement thereof, has been approved or endorsed by the Federal Trade Commission, Post Office Department, or any other federal agency.

It is also an unfair trade practice to represent or imply in any advertisement that a policy, or the advertising or the financial condition of an insurer, has been approved, or examined and found to be satisfactory, by any or a particular State or State insurance department, when such is not the fact. [Rule 17]

§ 187.18 *Misrepresentations in advertisements improper though policy be available for inspection by prospective insured.* It is an unfair trade practice to use a misleading or deceptive statement in any advertisement even though the policy of insurance referred to in the advertisement is made available to the insured prior to consummation of his purchase thereof. [Rule 18]

§ 187.19 *Deceptive testimonials.* It is an unfair trade practice for any industry member to promote or attempt to promote the sale of insurance through use of any testimonial or purported testimonial which is false, misleading, or deceptive, or to cause any testimonial or purported testimonial, or any part thereof, to be used in a manner or under any circumstance having the capacity and tendency or effect of misleading or deceiving purchasers or prospective purchasers of insurance into the belief:

(a) That the testimonial was given without solicitation or payment therefor, when such is not the fact; or

(b) That the testimonial is a bona fide and genuine testimonial given by a person whose name is used in connection therewith, when the testimonial was not given by such person, or when the testimonial was not given with respect to the particular policy or policies to which it purports to relate, or when the testimonial is otherwise inapplicable, misleading, or deceptive.

In order to avoid deception in the use of bona fide and genuine testimonials, the complete testimonial should be given wherever practicable, and words, phrases, sentences, or other parts of such testimonial, shall not be separated from their context, or rearranged or otherwise used in such manner as to have the capacity and tendency or effect of misleading or deceiving purchasers or prospective purchasers in any respect. [Rule 19]

§ 187.20 *Misrepresentation of financial condition.* It is an unfair trade practice for any industry member to promote the sale of insurance through the use of any advertisement which directly or by implication has the capacity and tendency or effect of misleading or deceiving purchasers or prospective purchasers as to the assets, financial condition, improvement in financial condition, relative standing in the industry in comparison with other insurance companies, or as to other financial standing or condition of such member. [Rule 20]

§ 187.21 *Contingent liability of insured.* It is an unfair trade practice for any industry member to offer for sale or sell any insurance policy under which there is a possible or contingent liability of purchasers of such policies for sums in excess of stated premiums pursuant to the terms of such policy or by reason of the corporate structure of the insurer, unless nondeceptive[1] disclosure of such fact is made to the purchaser thereof prior and reasonably proximate to the consummation of the sale of the policy. [Rule 21]

§ 187.22 *Misrepresenting that policies are confined, or are especially advantageous, to a special group.* (a) It is an unfair trade practice for any industry member to use, or cause to be used, any advertisement in which there is a direct or indirect representation to the effect that the policy or policies offered for sale are of a special character or are especially advantageous to the insured, or that a policy or policies are being offered to a special class or group only, when such is not the fact.

(b) It is an unfair trade practice for any member of the industry to use advertisements which, directly or by implication, have the capacity and tendency or effect of causing purchasers or prospective purchasers to believe that such concern was organized by or is confined to any particular group or class of persons, when such is not the fact. [Rule 22]

§ 187.23 *Deceptive "Salesmen Wanted" advertisements.* (a) It is an unfair trade practice for an industry member to use any advertisement containing representations to the effect that he wishes to employ or make sales commission arrangements with persons for the sale of the industry member's insurance when, as a prerequisite to any such employment or arrangement, the industry member requires, or intends to require, the purchase of an insurance policy of the industry member and nondeceptive[1] disclosure of such fact is not made in the advertisement.

(b) In connection with the promotion of the sale of insurance, it is an unfair trade practice for any member of the industry to use or cause to be used any advertisement which directly or by implication is false, misleading, or deceptive concerning—

(1) The salary, commission, income, earnings, or other remuneration which agents, canvassers, solicitors, or sales representatives receive or may receive; or

(2) The chances or opportunities for such remuneration. [Rule 23]

§ 187.24 *Aiding or abetting use of unfair trade practices.* It is an unfair trade practice for any person, firm, or corporation to aid, abet, coerce, or induce another, directly or indirectly, to

[1] See footnote on p. 600.

use or promote the use of any unfair trade practice specified in the regulations of this part. [Rule 24]

Issued: January 31, 1950.

Promulgated by the Federal Trade Commission February 3, 1950.

[SEAL] D. C. DANIEL, *Secretary.*

[F. R. Doc. 50-960; Filed, Feb. 2, 1950; 8:53 a. m.]

TITLE 24—HOUSING AND HOUSING CREDIT

Chapter VIII—Office of Housing Expediter

[Controlled Housing Rent Reg., Amdt. 215]

[Controlled Rooms in Rooming Houses and Other Establishments Rent Reg., Amdt. 213]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

IOWA, LOUISIANA, NORTH CAROLINA, AND OHIO

The Controlled Housing Rent Regulation (§§ 825.1 to 825.12) and the Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments (§§ 825.81 to 825.92) are amended in the following respects:

1. In Schedule A, all of Item 114, which relates to Jasper County, Iowa, is deleted.

This decontrols Jasper County, Iowa, a portion of the Des Moines, Iowa, Defense-Rental Area.

2. Schedule A, Item 130a, is amended to read as follows:

(130a) [Revoked and decontrolled.]

This decontrols the entire Lafayette, Louisiana, Defense-Rental Area.

3. Schedule A, Item 133a, is amended to read as follows:

(133a) [Revoked and decontrolled.]

This decontrols the entire New Iberia, Louisiana, Defense-Rental Area.

4. Schedule A, Item 221e, is amended to describe the counties in the Defense-Rental Area as follows:

Davidson County, except Lexington Township; and in Rowan County, Salisbury Township, the Cities of Salisbury and Spencer, and the Town of East Spencer.

This decontrols all of Rowan County, except Salisbury Township, the Cities of Salisbury and Spencer, and the Town of East Spencer, North Carolina, portions of the Salisbury, North Carolina, Defense-Rental Area.

5. Schedule A, Item 226, is amended to describe the counties in the Defense-Rental Area as follows:

Stark County.

Tuscarawas County, except the Townships of Auburn, Bucks, Clay, Fairfield, Jefferson, Perry, Rush, Salem, Warren, Washington, Union and York.

This decontrols in Tuscarawas County, Ohio, the townships listed above, all portions of the Canton, Ohio, Defense-Rental Area.

6. Schedule A, Item 228, is amended to describe the counties in the Defense-Rental Area as follows:

Cuyahoga County, except the Villages of Bay, Brecksville, Chagrin Falls, Hunting Valley, Lyndhurst, North Olmsted, Orange, and West View; and in Lake County, Willoughby Township and those parts of Kirtland Township included within the corporate limits of Waite Hill and Willoughby.

Lake County, other than Willoughby Township and those parts of Kirtland Township included within the corporate limits of the Villages of Waite Hill and Willoughby.

This decontrols the Village of Hunting Valley, in Cuyahoga County, Ohio, a portion of the Cleveland, Ohio, Defense-Rental Area, based on a resolution submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended.

All decontrols effected by this amendment, except those effected by Item 6 thereof, are on the Housing Expediter's own initiative in accordance with section 204 (c) of the Housing and Rent Act of 1947, as amended.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Supp. 1894)

This amendment shall become effective February 1, 1950.

Issued this 31st day of January 1950.

TIGHE E. WOODS, *Housing Expediter.*

[F. R. Doc. 50-965; Filed, Feb. 2, 1950; 8:53 a. m.]

[Controlled Housing Rent Reg., Amdt. 216]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

COLORADO

The Controlled Housing Rent Regulation (§§ 825.1 to 825.12) is hereby amended in the following respect:

A new Item 61 is hereby incorporated in Schdeule B to read as follows:

61. Provisions relating to the Denver, Colorado, Defense-Rental Area.

Decontrol of housing accommodations in trailers and trailer-spaces on Housing Expediter's initiative. In accordance with section 204 (c) of the Housing and Rent Act of 1947, as amended, the application of §§ 825.1–825.12 is terminated effective February 1, 1950, with respect to all housing accommodations which on that date were housing accommodations in trailers or trailer-spaces, located in the Denver, Colorado, Defense-Rental Area.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Supp. 1894)

This amendment shall become effective February 1, 1950.

Issued this 31st day of January 1950.

TIGHE E. WOODS, *Housing Expediter.*

[F. R. Doc. 50-966; Filed, Feb. 2, 1950; 8:53 a. m.]

[Controlled Rooms in Rooming Houses and Other Establishments Rent Reg., Amdt. 214]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

COLORADO

The Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments (§§ 825.81 to 825.92) is hereby amended in the following respect:

A new Item 64 is hereby incorporated in Schedule B to read as follows:

64. Provisions relating to the Denver, Colorado, Defense-Rental Area.

Decontrol of housing accommodations in trailers and trailer-spaces on Housing Expediter's initiative. In accordance with section 204 (c) of the Housing and Rent Act of 1947, as amended, the application of §§ 825.81 to 825.92 is terminated effective February 1, 1950, with respect to all housing accommodations which on that date were housing accommodations in trailers or trailer-spaces, located in the Denver, Colorado, Defense-Rental Area.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Supp. 1894)

This amendment shall become effective February 1, 1950.

Issued this 31st day of January 1950.

TIGHE E. WOODS, *Housing Expediter.*

[F. R. Doc. 50-964; Filed, Feb. 2, 1950; 8:52 a. m.]

TITLE 29—LABOR

Chapter V—Wage and Hour Division, Department of Labor

PART 523—EMPLOYMENT OF MESSENGERS

APPLICATION FOR MESSENGERS AND INFORMATION IN APPLICATIONS

Pursuant to section 14 of the Fair Labor Standards Act of 1938, the Administrator has heretofore issued regulations providing for the issuance of special certificates permitting the employment of messengers employed exclusively in delivering letters and messages at wages lower than the minimum wage applicable under section 6 of the act.

The Fair Labor Standards Amendments of 1949 amend section 14 of the act so as to substitute the word "primarily" for the word "exclusively", and as the amended section now reads the Administrator may, to the extent necessary to prevent the curtailment of opportunities for employment, provide by regulation for the employment of messengers employed primarily in delivering letters and messages at wages lower than the minimum wage applicable under section 6. Accordingly, the regulations of the Administrator must be amended to reflect this change in the statutory language.

Now, therefore, pursuant to the authority vested in me by section 14 of the Fair Labor Standards Act of 1938, as amended (sec. 14, 52 Stat. 1068, 29 U. S. C. 214; as amended, 63 Stat. 910), the regulations contained in this part are amended as follows:

1. Section 523.1 is amended by deleting the word "exclusively" and substituting in its place the word "primarily".

2. Section 523.4 (a) is amended by deleting the word "exclusively" and substituting in its place the word "primarily".

In view of the nature of the above amendments, and the desirability of making them effective simultaneously with the Fair Labor Standards Amendments of 1949, it appears unnecessary to comply with the requirements of sections 4 (a), (b), and (c) of the Administrative Procedure Act.

Accordingly, such amendments shall become effective upon publication in the FEDERAL REGISTER.

(Sec. 14, 52 Stat. 1068, as amended; 29 U. S. C. and Sup. 214)

Signed at Washington, D. C. this 30th day of January 1950.

WM. R. MCCOMB,
Administrator,
Wage and Hour Division.

[F. R. Doc. 50-974; Filed, Feb. 2, 1950; 8:55 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

Appendix—Public Land Orders

[Public Land Order 632]

NEW MEXICO

TRANSFER OF LANDS FROM THE SANTA FE NATIONAL FOREST TO THE CARSON NATIONAL FOREST

By virtue of the authority vested in the President by the act of June 4, 1897, 30 Stat. 11, 36 (U. S. C. title 16, sec. 473), and pursuant to Executive Order No. 9337 of April 24, 1943, and upon the recommendation of the Department of Agriculture, it is ordered as follows:

Those portions of the following-described lands within the exterior boundaries of the Santa Fe National Forest are hereby transferred to the Carson National Forest, effective January 1, 1950:

NEW MEXICO PRINCIPAL MERIDIAN

T. 21 N., R. 10 E.;
Secs. 1, 2, 3, 10, 11, 12, 14, 15, 22.
T. 22 N., R. 10 E.;
Secs. 34 to 36, inclusive.
T. 21 N., R. 11 E.;
Secs. 4 to 7, inclusive.
T. 22 N., R. 11 E.;
Secs. 31 to 33, inclusive.
T. 21 N., R. 12 E.;
Secs. 28 to 30, inclusive.
T. 22 N., R. 14 E.;
Secs. 1, 2, 11 to 14, inclusive (unsurveyed).
T. 23 N., R. 14 E.;
Secs. 12, 13, 24, 25, and 36 (unsurveyed).
T. 23 N., R. 15 E.;
Secs. 1 to 21, inclusive (unsurveyed);
Secs. 28 to 32, inclusive (unsurveyed).
T. 24 N., R. 15 E.;
Secs. 32 to 36, inclusive (unsurveyed).

It is not intended by this order to give a national forest status to any publicly owned lands which have not hitherto had such a status or to change the status of any publicly owned lands which have hitherto had national forest status.

C. GIRARD DAVIDSON,
Acting Secretary of the Interior.

JANUARY 27, 1950.

[F. R. Doc. 50-931; Filed, Feb. 2, 1950; 8:46 a. m.]

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

Subchapter B—Carriers by Motor Vehicle

[Ex Parte No. MC-19]

PART 176—TRANSPORTATION OF HOUSEHOLD GOODS IN INTERSTATE OR FOREIGN COMMERCE

PRACTICES OF MOTOR COMMON CARRIERS OF HOUSEHOLD GOODS

At a session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 26th day of January A. D. 1950.

It appearing, that by order entered April 25, 1947 (12 F. R. 3151) § 176.10 (a) *Estimates by carrier,* was prescribed;

It further appearing, that by orders of July 14, 1947 (12 F. R. 4790), August 20, 1947 (12 F. R. 6010), December 30, 1947 (13 F. R. 90), March 22, 1948 (13 F. R. 1916), March 31, 1949 (14 F. R. 2065), and August 30, 1949 (14 F. R. 5540), the effective date of the said paragraph was deferred from time to time, and is presently deferred until February 1, 1959;

It further appearing, that by the said order of March 31, 1949 (14 F. R. 2065), this proceeding was reopened for further hearing with respect only to § 176.10, *Estimates of charges,* which further hearing has been held;

And it further appearing, that a full investigation of the matters and things involved in this matter has been made, and that the said division, on the date hereof, has made and filed a report herein containing its findings of fact and conclusions thereon, which report is hereby made a part hereof:

It is ordered, That the said order of April 25, 1947 (12 F. R. 3151), as amended, to the extent it prescribes § 176.10 (a) *Estimates by carrier,* is hereby vacated.

And it is further ordered, That paragraphs (b), (c), and (d) of § 176.10, also prescribed in the said order of April 25, 1947 (12 F. R. 3151), as amended, remain in full force and effect.

(49 Stat. 547, 558, 560; 49 U. S. C. 304, 316, 317)

Notice of this order shall be given to the general public by depositing a copy hereof in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

By the Commission, Division 5.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 50-953; Filed, Feb. 2, 1950; 8:53 a. m.]

PROPOSED RULE MAKING

CIVIL AERONAUTICS BOARD

[14 CFR, Parts 20, 21, 22, 24, 25, 26, 27, 33, 34, and 35]

STUDENT AND PRIVATE PILOT CITIZENSHIP REQUIREMENTS AND DURATION OF AIRMAN CERTIFICATES

NOTICE OF PROPOSED RULE MAKING

Pursuant to authority delegated by the Civil Aeronautics Board to the Bureau of Safety Regulation, notice is hereby given that the Bureau will propose to the Board amendments of Parts 20, 21, 22, 24, 25, 26, 27, 33, 34, and 35 of the Civil Air Regulations as hereinafter set forth.

Interested persons may participate in the making of the proposed rules by submitting such written data, views, or arguments as they may desire. Communications should be submitted in duplicate to the Civil Aeronautics Board, attention Bureau of Safety Regulation, Washington 25, D. C. All communications received by March 8, 1950, will be considered by the Board before taking further action on the proposed rules. A copy of such communications will be available after March 8, 1950, for perusal by interested persons at the Dockets Section of the Board, Room 5412, Commerce Building, Washington, D. C.

Sections 20.3, 20.21, 22.10 (c), and 22.11 (c) currently provide that an applicant for a student pilot certificate or a pilot certificate with private rating shall be a loyal citizen of the United States or of a friendly foreign government not under the domination of or associated with any government with which the United States is at war. These provisions were promulgated as wartime regulations, and it was the Board's intention at the time of adoption of such regulations to revise them when conditions warranted.

While the United States is still legally at war with certain nations, there does not appear to be any cogent reason why citizenship requirements of the aforementioned certificates and ratings should not be the same as for other airman certificates; that is, to require that an applicant shall be a citizen of the United States or of a foreign government which grants or has undertaken to grant reciprocal airman privileges to citizens of the United States on equal terms and conditions with citizens of such foreign government.

With respect to individuals who are granted airman certificates in accordance with reciprocal agreements, it appears advisable to provide a means of determining whether such certificates should continue in force in the event that the reciprocal agreements should be modified or terminated. Accordingly, it is proposed to require that all airman certificates issued to foreign nationals pursuant to existing reciprocal agreements have a duration of one year. However, it is also proposed to provide that such certificates shall be generally reissuable without further demonstration of technical competency on the part of the holders thereof.

Therefore, it is proposed to amend Parts 20, 21, 22, 24, 25, 26, 27, 33, 34, and 35 as follows:

1. By amending §§ 20.3, 20.21, and 22.10 (c) to read as follows:

Citizenship. An applicant shall be a citizen of the United States or of a foreign government which grants or has undertaken to grant reciprocal pilot privileges to citizens of the United States on equal terms and conditions with citizens of such foreign government.

2. By amending §§ 20.12, 20.51 (b), 21.24, 22.21 (b), 24.22, 25.22, 26.18, 27.12, 33.11, 34.11, and 35.11 to provide that an airman certificate issued to an applicant other than a United States citizen shall expire one year after the date of issuance, but shall be generally reissuable without further demonstration of technical competency.

These amendments are proposed under the authority of Title VI of the Civil Aeronautics Act of 1938, as amended.

(Secs. 205 (a), 601–610, 52 Stat. 984, 1007–1012; 49 U. S. C. 425 (a), 551–560)

Dated: January 30, 1950, at Washington, D. C.

By the Bureau of Safety Regulation.

[SEAL] JOHN M. CHAMBERLAIN, *Director.*

[F. R. Doc. 50–957; Filed, Feb. 2, 1950; 8:45 a. m.]

NOTICES

DEPARTMENT OF AGRICULTURE

Forest Service

TIMBER

DETERMINATION AND DECLARATION OF BIG VALLEY FEDERAL SUSTAINED YIELD UNIT

Whereas, advance notice of the public hearing on the proposed establishment of the Big Valley Federal Sustained Yield Unit was given and published in accordance with the provisions of the act of March 29, 1944 (58 Stat. 132; 16 U. S. C. 583–583i); and

Whereas, such public hearing was held at Alturas, California, on October 19, 1949; and

Whereas, the record of said hearing, including written statements thereafter filed pursuant to an announcement made at such hearing and providing for the filing thereof, has been carefully considered by me.

Now, therefore, by virtue of the authority vested in me and in accordance with the regulations of the Secretary of Agriculture issued pursuant to the provisions of the act of March 29, 1944 (36 CFR 221.4), I, Lyle F. Watts, Chief of the Forest Service, hereby find that the stability of the communities in the Big Valley area in Modoc and Lassen Counties, California, is primarily dependent upon the sale of timber and other forest products from the Federally owned land hereinafter described and that such stability cannot be secured effectively by following the usual procedure in selling such timber and other forest products.

It is therefore declared that the Big Valley Federal Sustained Yield Unit, consisting of certain national forest land in the Modoc National Forest, from which the Forest Service will, from time to time, offer timber for sale in accordance with sustained yield plans, with the requirement that not less than 80 percent of the sawtimber must be given primary manufacture within the Big Valley Area, is hereby established. The exterior boundaries of said unit are described as follows:

Beginning on the boundary of the Modoc National Forest at the top of divide on east line of Section 35, Township 41 North, Range 9 East, thence westerly and northerly along ridge to the top of Shaeffer Mountain, thence westerly to the junction of U. S. Highway 299 and the Stone Coal road in Section 29, Township 41 North, Range 9 East, thence continue westerly along the Stone Coal road to its point of intersection with the range line between Ranges 7 and 8 East, Township 41 North, thence south along range line between Ranges 7 and 8 East to the township line on the 8th Standard Parallel North, thence south to the top of first main divide, thence southwesterly to the Forest boundary at the southwest section corner of Section 6, Township 40 North, Range 8 East, thence continue along the Forest boundary to the crest of the divide between Cottonwood Creek and Stones Canyon Creek on the south line of Section 10, Township 38 North, Range 11 East, thence northerly along crest of divide to the crest line of Knox Mountain, thence continue northerly and westerly along the crest line of Knox Mountain to its point of intersection with the Forest boundary on the south line of Section 16, Township 39 North, Range 11 East, thence westerly and northerly along Forest boundary to the point of beginning all in Mt. Diablo Meridian, State of California.

The boundaries of the Big Valley Federal Sustained Yield Unit are shown on maps on file in the offices of the Forest Supervisor at Alturas, California, of the Regional Forester at San Francisco, California, and of the Chief, Forest Service, Washington, D. C.

In witness whereof, I have executed this determination and declaration on behalf of the United States of America on this 27th day of January 1950.

[SEAL] LYLE F. WATTS, *Chief, Forest Service.*

[F. R. Doc. 50–945; Filed, Feb. 2, 1950; 8:53 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 2581 et al.]

TWA ROUTE CONSOLIDATION CASE

NOTICE OF ORAL ARGUMENT

In the matter of the applications of Transcontinental & Western Air, Inc., and other applicants for amendments of certificates of public convenience and necessity under section 401 of the Civil Aeronautics Act of 1938, as amended.

Notice is hereby given, pursuant to the provisions of the Civil Aeronautics Act of 1938, as amended, that oral argument in the above-entitled proceeding is assigned to be held on February 15, 1950, at 10:00 a. m., e. s. t., in Room 5042, Commerce Building, Fourteenth Street and Constitution Avenue NW., Washington, D. C., before the Board.

Dated at Washington, D. C., January 30, 1950.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN, *Secretary.*

[F. R. Doc. 50–958; Filed, Feb. 2, 1950; 8:45 a. m.]

[Docket No. 4166]

EASTERN AIR LINES, INC. AND NATIONAL AIR LINES, INC.; SUMMER EXCURSION FARES INVESTIGATION

NOTICE OF HEARING

In the matter of the investigation to determine the lawfulness of the summer excursion fares provided in the tariffs of Eastern Air Lines, Inc., and National Air Lines, Inc.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 205 (a), 404 and 1002 thereof, that hearing in the above-entitled proceeding is assigned to be held on February 13, 1950, at 10:00 a. m., e. s. t., in Room 1011, Temporary Building No. 5, Sixteenth Street and Constitution Avenue NW., Washington, D. C., before Examiner Herbert K. Bryan.

Without limiting the scope of the issues presented by the orders of investigation, particular attention will be directed to the following matters and questions:

1. Are the fares, rules, and regulations under consideration unjust or unreasonable or unjustly discriminatory or unduly preferential or prejudicial; and

2. If the fares, rules, and regulations under consideration in this proceeding

are unjust or unreasonable or unjustly discriminatory or unduly preferential or prejudicial, what are the lawful fares which the Board should determine and prescribe?

For more detailed information with respect to the issues involved attention is directed to the prehearing conference report issued in this proceeding.

Notice is also given that any person, other than parties of record as of January 30, 1950, desiring to be heard in this proceeding must file with the Board on or before February 13, 1950, a statement setting forth the issues of fact or law raised by this proceeding on which he desires to be heard.

For further details with respect to this investigation, interested parties are referred to the pertinent orders of the Civil Aeronautics Board on file in the docket.

Dated at Washington, D. C., January 30, 1950.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN, *Secretary.*

[F. R. Doc. 50-959; Filed, Feb. 2, 1950; 8:52 a. m.]

FEDERAL POWER COMMISSION

UNION LIGHT, HEAT AND POWER CO., INC.

NOTICE OF ORDER APPROVING AND DIRECTING DISPOSITION OF AMOUNTS CLASSIFIED IN PLANT ADJUSTMENT ACCOUNTS

JANUARY 30, 1950.

Notice is hereby given that, on January 26, 1950, the Federal Power Commission issued its order entered January 24, 1950, approving and directing disposition of amounts classified in Plant Adjustment Accounts in the above-designated matter.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 50-939; Filed, Feb. 2, 1950; 8:48 a. m.]

[Dockets G-1156, G-1302]

MICHIGAN-WISCONSIN PIPE LINE CO. AND MICHIGAN CONSOLIDATED GAS CO.

ORDER REJECTING FPC GAS TARIFF, CONTINUING "INTERIM" RATE SCHEDULE IN EFFECT, REOPENING PROCEEDINGS, AND FIXING DATES OF HEARINGS

JANUARY 27, 1950.

In the matters of Michigan-Wisconsin Pipe Line Company, Docket No. G-1156; and Michigan Consolidated Gas Company, Docket No. G-1302.

The Commission, by its order issued August 2, 1949, at Docket No. G-1156, accompanying Opinion No. 180, granted to Michigan-Wisconsin Pipe Line Company (Michigan-Wisconsin) a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, as amended, authorizing, subject to certain conditions set forth in said order, the construction and operation of certain natural-gas transmission facilities and the transportation and sale of natural gas in interstate commerce as therein specified. One of such conditions is that set forth in paragraph (D) of said order, which, as subsequently amended by our orders, reads as follows:

Michigan-Wisconsin shall, on or before February 1, 1950, file with the Commission a tariff in a form satisfactory to this Commission providing for adequate and reasonable rates and charges consistent with the public interest.

By our order issued October 27, 1949, for reasons therein stated, we allowed an interim rate schedule filed by Michigan-Wisconsin on October 6, 1949, to take effect as of September 26, 1949, and to continue in effect through November 30, 1949. Orders subsequently issued permitted such "interim" rate schedule to continue in effect through January 31, 1950, unless the Commission otherwise orders. Such "interim" rate schedule provides a rate of thirty (30) cents per thousand cubic feet for all natural gas sold thereunder by Michigan-Wisconsin.

On December 29, 1949, Michigan-Wisconsin, purportedly acting pursuant to the requirements of the above-quoted paragraph (D) of our order of August 2, 1949, as amended, filed an FPC Gas Tariff which it proposed be made effective as of February 1, 1950. Said tariff provides, among other things, that the rate for all natural gas sold by Michigan-Wisconsin on and after such date shall be thirty (30) cents per thousand cubic feet. Concurrently with such filing Michigan-Wisconsin filed with the Commission a request that such tariff be accepted by the Commission and that the rate provided therein be continued in effect as an "interim" rate until December 31, 1950. In support of this last mentioned request, Michigan-Wisconsin states that its facilities have been in operation only since October 27, 1949; that on December 7, 1949, it filed with the Commission an application (Docket No. G-1302) hereinafter referred to, for a certificate authorizing, among other things, construction and operation of additional compressor facilities, which facilities, if authorized, Michigan-Wisconsin estimates could be in operation by December 31, 1950; that the construction and operation of such proposed additional facilities "will necessarily result in lower rates to Michigan-Wisconsin's customers"; and, finally, that under the interim rate of thirty (30) cents per Mcf Michigan-Wisconsin "will earn a return in 1950 substantially below 6% per annum."

A copy of such proposed tariff and of the accompanying papers filed with the Commission were served by Michigan-Wisconsin upon each of the customer companies which it has been authorized or directed to serve. A copy thereof was also served upon the Public Service Commissions of Michigan, Missouri, and Wisconsin; the County of Wayne, Michigan; the Cities of Detroit, Michigan, and Milwaukee, Wisconsin; and Panhandle Eastern Pipe Line Company, an intervener in the proceedings at Docket No. G-1156.

Comments upon or objections to the proposed tariff, or portions thereof, were submitted to this Commission by the Public Service Commissions of Michigan and Wisconsin, the Cities of Detroit and Milwaukee, and the following named customers of Michigan-Wisconsin: Iowa Electric Company, Keokuk Gas Service Company, Michigan Gas and Electric Company, Wisconsin Gas and Electric Company, Wisconsin Michigan Power Company, Wisconsin Power and Light Company, and Wisconsin Public Service Corporation.

Another matter involved in the proceedings at Docket No. G-1156 was the request that Michigan-Wisconsin be authorized to lease from Michigan Consolidated Gas Company (Michigan Consolidated), an affiliate, and operate certain facilities in the connecting the Austin and Goodwell Storage Fields for the storage and subsequent withdrawal of natural gas. The Commission reserved decision of such portion of the joint application at Docket No. G-1156 at the time of issuance of certificates to Michigan-Wisconsin and Michigan Consolidated. Specifically, the Commission stated in its Opinion No. 180 (page 31) that:

The question of whether Michigan-Wisconsin shall operate the storage facilities under lease from Michigan Consolidated, as well as the allocation of the costs attendant thereto, are matters which we believe to be very closely interrelated with a determination of the proper rate or rates to be charged by Michigan-Wisconsin for service to the various markets to be served. Accordingly, we consider it proper and necessary to withhold decision on this phase of Michigan-Wisconsin's application until such time as the matter of rates is determined to our satisfaction. And we shall so provide in our order herein.

Accordingly, in our order accompanying Opinion No. 180, we provided in paragraph (G) thereof that:

Decision be and it is hereby reserved with respect to those items of the application, as amended, which contemplate that Michigan-Wisconsin shall lease from Michigan Consolidated and operate existing and proposed facilities in the Austin and Goodwell Storage Fields and existing and proposed facilities connecting such fields.

As indicated hereinbefore, questions as to the rates to be charged by Michigan-Wisconsin, as well as certain other provisions of a tariff governing service by it, remain unresolved. The Commission has not yet reached a decision upon the request that Michigan-Wisconsin be authorized to operate the above-mentioned gas storage fields.

The joint application filed by Michigan-Wisconsin and Michigan Consolidated on December 7, 1949, to which reference has been previously made, requests that a certificate of public convenience and necessity be issued authorizing: (1) The construction by Michigan Consolidated of additional facilities in the Reed City Storage Field, additional compressor capacity in the Austin Field Compressor Station, and a pipe line connecting such fields; (2) the lease and operation by Michigan-Wisconsin of such facilities proposed to be constructed by Michigan Consolidated, as well as existing facilities in the Reed City Field; and the construction and operation by Michigan-Wisconsin of additional compressor facilities designed to increase the sales capacity of its pipe

line system. Due notice of the filing of said application has been given, including publication in the FEDERAL REGISTER on December 23, 1949, (14 F. R. 7692).

On January 24, 1950, Michigan-Wisconsin and Michigan Consolidated filed an amendment to said joint application. By such amendment Michigan Consolidated requests a certificate authorizing, among other things: (1) The construction, in addition to the facilities covered in the original application at Docket No. G–1302, of additional facilities in the Lincoln-Freeman Field; a pipe line extending from the Austin Compressor Station to said field; a 24-inch loop pipe line extending from the Austin Storage Field to Detroit; and (2) the operation of certain existing pipe lines in Michigan for the supplying of natural gas to the Cities of Muskegon, Freemont, Reed City, Evart, and Barrytown, all in Michigan. By such amendment Michigan-Wisconsin seeks authorization for the lease and operation of the above-mentioned additional facilities proposed to be constructed by Michigan Consolidated as well as existing facilities in the Lincoln-Freeman Field, in addition to the authorization requested in the original application. Due public notice of the filing of this amendment to the joint application will be given, including publication in the FEDERAL REGISTER.

Said joint application at Docket No. G–1302 and the amendment thereto are on file with the Commission and open to public inspection.

Upon consideration of the Tariff filed by Michigan-Wisconsin and the accompanying statements and other material filed concurrently therewith, the comments upon and objections to such Tariff, the record of proceedings at Docket No. G–1156, including our opinion and orders therein, and the joint application at Docket No. G–1302, and the amendment thereto, the Commission finds:

(1) The rate of thirty (30) cents per Mcf which Michigan-Wisconsin is now receiving for natural gas sold by it under the now effective "interim" rate schedule resulted from calculations which included the expenses (estimated) of leasing and operating the Austin and Goodwell Storage Fields. Since Michigan-Wisconsin does not now have authorization from this Commission (under the certificate issued to it at Docket No. G–1156 or that issued at Docket No. G–669) to lease or operate such storage fields, or either of them, as a part of the natural-gas transmission facilities it has constructed and is now operating, the calculations which resulted in the fixing of such "interim" rate were and are on an erroneous basis to the extent, at least, that they included expenses for the leasing and operation of such storage fields and appurtenant facilities.

(2) It appears from information furnished by Michigan-Wisconsin that expenses (estimated) attributable to the leasing and operation of the Austin and Goodwell Storage Fields, and appurtenant facilities, do and will in the immediate future average in excess of two (2) cents per Mcf of natural-gas sold. In view of this fact, and for the reasons stated in paragraph (1) above, Michigan-Wisconsin, pending determination by the Commission of the question of whether it should be authorized to operate such storage fields and facilities, should not be allowed to demand, charge, or collect an "interim" rate in excess of twenty-eight (28) cents per Mcf.

(3) Michigan-Wisconsin should file an "interim" rate schedule consistent with findings numbered 1 and 2 hereof not later than five (5) days from the date of issuance hereof to be effective on February 7, 1950.

(4) The aforesaid FPC Gas Tariff submitted by Michigan-Wisconsin on December 29, 1949, does not constitute satisfactory compliance with the conditions set forth in paragraph (D) of our order issued August 2, 1949, accompanying Opinion No. 180, as amended, and said Gas Tariff should be rejected.

(5) The record of proceedings at Docket No. G–1156 should be reopened and further public hearings held with respect to matters involved in and necessary to the determination of a tariff satisfactory to the Commission governing sales by Michigan-Wisconsin. Additional evidence should be received at such further hearings only with respect to:

(a) The provisions of the rate schedule or rate schedules, general terms and conditions, and form of service agreement to comprise parts of a Tariff to be filed by Michigan-Wisconsin. Such evidence to be restricted to the following issues, and matters related directly thereto:

(i) The form of and the rate or rates to be charged for service rendered by Michigan-Wisconsin by means of the facilities authorized by the certificate issued at Docket No. G–1156.

(ii) Whether any distributing company which Michigan-Wisconsin has been authorized or directed to serve is entitled to a differential in rate because of differing conditions of delivery or service.

(iii) The reasonableness of the provisions of section 8 of the general terms and conditions as set forth in the Gas Tariff proposed by Michigan-Wisconsin to be made effective on February 1, 1950, which section places limitations on the connection by distributing company customers of large volume loads.

(iv) The reasonableness of the provisions of section 9.5 of the general terms and conditions as set forth in said Gas Tariff proposed by Michigan-Wisconsin, which section places a limitation on the obligation of Michigan-Wisconson to meet hourly demands of its customers.

(v) The term of the service agreement.

(b) Whether the public convenience and necessity will best be served by operation of the Austin and Goodwell Storage Fields (1) by Michigan-Wisconsin under lease, or (2) by Michigan Consolidated.

(6) The request of Michigan-Wisconsin that the presently effective "interim" rate of thirty (30) cents per Mcf of natural gas be continued in effect until December 31, 1950, should be denied: *Provided, however*, That such rate of thirty (30) cents per Mcf, as contained in the "interim" rate schedule to which reference is made hereinbefore and which is now in effect, shall be continued in effect through February 6, 1950.

(7) Public interest and orderly administration of the Natural Gas Act require that the "interim" rate schedules herein referred to be replaced at the earliest possible date by a tariff satisfactory to the Commission providing for adequate and reasonable rates and charges consistent with the public interest and that reserved questions respecting operation of the Austin and Goodwell Storage Fields be resolved at the earliest practicable date.

(8) Due and timely execution of its functions imperatively and unavoidably requires that the Commission omit the intermediate decision procedure and forthwith render decision in the further proceedings to be had at Docket No. G–1156 as herein ordered.

The Commission orders:

(A) The FPC Gas Tariff submitted by Michigan-Wisconsin Pipe Line Company on December 29, 1949, and proposed to be made effective as of February 1, 1950, be and it is hereby rejected, and it shall have no force or effect as a schedule of rates and charges filed under section 4 of the Natural Gas Act unless and until the Commission hereafter so orders.

(B) The request of Michigan-Wisconsin, as filed on December 29, 1949, that it be permitted to continue to demand, charge, and collect a rate of thirty (30) cents per Mcf for natural gas sold by it until December 31, 1950, be and it is hereby denied: *Provided, however*, That, unless the Commission shall hereafter otherwise order, the "interim" rate schedule filed by Michigan-Wisconsin on October 6, 1949, be and it is hereby allowed to continue in effect through February 6, 1950.

(C) The proceedings at Docket No. G–1156 be and they are hereby reopened for the limited purpose of receiving additional evidence respecting the matters enumerated in our findings numbered (5) hereinbefore.

(D) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 5, 7 and 15 of the Natural Gas Act, as amended, and the Commission's rules of practice and procedure, a public hearing be held with respect to the matters referred to in paragraph (C) above commencing on February 23, 1950, at 10:00 a. m. (e. s. t.) in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C.

(E) The intermediate decision procedure in the further proceedings to be held at Docket No. G–1156 pursuant to paragraph (D) above be and the same is hereby omitted in accordance with the provisions of § 1.30 (c) of the Commission's rules of practice and procedure.

(F) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, the Commission's rules of practice and procedure, a public hearing be held in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by the joint application filed at Docket No. G–1302 and the amendment thereto. The

hearing by this paragraph (E) ordered to be held shall commence at 10:00 a. m. e. s. t., on the business day following the conclusion of the further hearings to be held in proceedings at Docket No. G–1156 pursuant to paragraph (D) above.

(G) All interveners in the proceeding at Docket No. G–1156 may participate in the further hearings herein ordered to be held in such proceeding. The Public Service Commission of Wisconsin and distributing company customers which Michigan-Wisconsin has been authorized to serve which are not interveners in the proceeding at Docket No. G–1156 may participate in such further hearings to such extent as their interests may appear: *Provided, however,* That the granting of such privilege of limited participation shall not be construed as recognition by the Commission that said participants, or any of them, might be aggrieved by any order or orders of the Commission entered in such proceeding.

(H) Interested State commissions may participate in the hearings herein ordered as provided by §§ 1.8 and 1.37 (f) of the Commission's rules of practice and procedure.

Date of issuance: January 30, 1950.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 50–940; Filed, Feb. 2, 1950; 8:48 a. m.]

[Docket No. G–1243]

VIRGINIA GAS TRANSMISSION CORP.

NOTICE OF FINDINGS AND ORDER ISSUING A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

JANUARY 31, 1950.

Notice is hereby given that, on January 30, 1950, the Federal Power Commission issued its findings and order entered January 27, 1950, issuing a certificate of public convenience and necessity in the above-designated matter.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 50–946; Filed, Feb. 2, 1950; 8:50 a. m.]

[Docket No. G–1319]

ALGONQUIN GAS TRANSMISSION CO.

NOTICE OF APPLICATION

JANUARY 30, 1950.

Take notice that Algonquin Gas Transmission Company (Applicant), a Delaware corporation with address at Boston, Massachusetts, filed on January 24, 1950, an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction and operation of certain gas transmission pipeline facilities, hereinafter described, for the transportation and sale of natural gas at various points to distribution companies in the States of Connecticut, Rhode Island, New Hampshire, and Massachusetts, and at a later time, if it proves economically feasible to do so, in the States of Vermont and Maine.

Applicant proposes to procure its entire supply of natural gas from Texas Eastern Transmission Corporation (Texas Eastern) at Lambertville, New Jersey. Applicant proposes to construct 276 miles of main pipeline terminating at Boston, with lateral lines extending adjacent and beyond, having an initial delivery capacity of approximately 250,000 Mcf per day which is believed will be available for service prior to December 31, 1951. Estimates of needs of natural gas in the area presently proposed to be served have been determined from responses from 39 distribution companies and from other data respecting other distribution companies listed in the application. No sale or interchange of natural gas service is proposed with any other natural gas company with the exception of the purchase of natural gas from Texas Eastern.

The estimated over-all capital cost of the proposed facilities is $27,549,100 which will be financed by the sale of bonds and stock. The stock will be underwritten by New England Gas and Electric Association, Providence Gas Company and Eastern Gas and Fuel Associations, but a major portion of the stock will be made available to companies which contract directly or through subsidiaries for natural gas to be supplied by Applicant.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) within 15 days from the date of publication hereof in the FEDERAL REGISTER. The application is on file with the Commission available for public inspections.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 50–947; Filed, Feb. 2, 1950; 8:50 a. m.]

[Docket No. ID–1125]

WARREN SOMERS, JR.

NOTICE OF AUTHORIZATION

JANUARY 30, 1950.

Notice is hereby given that, on January 25, 1950, the Federal Power Commission issued its order entered January 24, 1950, in the above-designated matter, authorizing Applicant to hold certain positions pursuant to section 305 (b) of the Federal Power Act.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 50–932; Filed, Feb. 2, 1950; 8:46 a. m.]

[Project No. 236]

MONTICELLO, UTAH

NOTICE OF ORDER AUTHORIZING AMENDMENT OF LICENSE (MINOR)

JANUARY 30, 1950.

Notice is hereby given that, on January 27, 1950, the Federal Power Commission issued its order entered January 24, 1950, authorizing amendment of license (minor) in the above-designated matter.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 50–933; Filed, Feb. 2, 1950; 8:46 a. m.]

[Project No. 271]

ARKANSAS POWER & LIGHT CO.

NOTICE OF ORDER APPROVING EXHIBIT

JANUARY 30, 1950.

Notice is hereby given that, on January 26, 1950, the Federal Power Commission issued its order entered January 24, 1950, approving Exhibit L in the above-designated matter.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 50–934; Filed, Feb. 2, 1950; 8:47 a. m.]

[Project No. 485]

GEORGIA POWER CO.

NOTICE OF ORDER APPROVING EXHIBIT

JANUARY 30, 1950.

Notice is hereby given that, on January 26, 1950, the Federal Power Commission issued its order entered January 24, 1950, approving Exhibit L in the above-designated matter.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 50–935; Filed, Feb. 2, 1950; 8:47 a. m.]

[Project No. 1494]

GRAND RIVER DAM AUTHORITY

NOTICE OF ORDER GRANTING PARTIAL EXEMPTION FROM PAYMENT OF ANNUAL CHARGES

JANUARY 30, 1950.

Notice is hereby given that, on January 26, 1950, the Federal Power Commission issued its order entered January 24, 1950, granting partial exemption from payment of annual charges in the above-designated matter.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 50–936; Filed, Feb. 2, 1950; 8:47 a. m.]

[Project No. 1940]

WISCONSIN PUBLIC SERVICE CORP.

NOTICE OF ORDER EXTENDING TIME FOR FILING EXHIBIT

JANUARY 30, 1950.

Notice is hereby given that, on January 26, 1950, the Federal Power Commission issued its order entered January 24, 1950, extending until March 1, 1950, the time for filing Exhibit K in the above-designated matter.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 50–937; Filed, Feb. 2, 1950; 8:47 a. m.]

[Project No. 1957]

WISCONSIN PUBLIC SERVICE CORP.

NOTICE OF ORDER AUTHORIZING ISSUANCE OF LICENSE (MAJOR)

JANUARY 30, 1950.

Notice is hereby given that, on January 25, 1950, the Federal Power Commission issued its order entered January 24, 1950, authorizing issuance of license (major) in the above-designated matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 50-938; Filed, Feb. 2, 1950; 8:47 a. m.]

INTERSTATE COMMERCE COMMISSION

BUREAU OF ACCOUNTS AND COST FINDING

ORGANIZATION AND ASSIGNMENT OF WORK

JANUARY 30, 1950.

The Interstate Commerce Commission announces that it has approved the reorganization of the Bureau of Accounts and Cost Finding into four major sections set up on functional lines, as follows:

Section of Accounting, which is charged with the preparation of uniform systems of accounts, accounting interpretations, accounting in finance matters, preservation and destruction of records, and regulations governing the issuance of passes for all carriers subject to the Commission's jurisdiction.

Section of Field Service, which is charged with the field investigational work for all types of carriers and supervision of work of branch offices and district accountants who work out the Bureau of Motor Carrier field offices, and the formulation and audit of annual and quarterly reports required of class I motor carriers of property and passengers.

Section of Cost Finding, which is engaged in preparation of studies and analyses of the costs of transportation for the various types of carriers subject to the Commission's jurisdiction and participates in numerous rate cases before the Commission involving such costs.

Section of Depreciation, which reviews the various carriers' returns covering requests for depreciation rates and recommends to the Commission rates to be prescribed.

The branch office of the Bureau at Houston, Texas, will be closed and the work will be transferred to the St. Louis branch office. New York and Chicago offices remain unchanged.

These changes continue the general program of organizing the activities along functional lines as previously inaugurated by the Commission when it merged the motor carrier accounting and cost finding work with the former Bureau of Accounts, and as evidenced by the order of March 1, 1948 (13 F. R. 1795).

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 50-948; Filed, Feb. 2, 1950; 8:50 a. m.]

[S. O. 844, Special Directive 19]

CHICAGO, MILWAUKEE, ST. PAUL & PACIFIC RAILROAD CO.

FURNISHING CARS TO DESIGNATED MINES FOR LOCOMOTIVE FUEL COAL

On January 26, 1950, the Chicago, Milwaukee, St. Paul & Pacific Railroad Company certified, through its proper officer, that it had on that date less than nine (9) days' supply of fuel coal for locomotives (including fuel coal stock piled or loaded on cars on its line) and that not having available on its line a dependable source of supply of locomotive fuel coal, deems it necessary to increase its supply from the mine sources and in the average weekly amount herein specified:

Therefore, pursuant to the authority vested in me in paragraph (b) of Service Order No. 844, the Chicago, Milwaukee, St. Paul & Pacific Railroad Company is directed:

To furnish weekly to the individual mines listed in Appendix A or, where so indicated to groups of mines whose output is controlled by companies or corporations, sufficient cars suitable for the transportation of the required number of tons of the type of coal described.

No cars may be supplied this mine for loading of other than railroad locomotive fuel coal in grades called for by railroad purchase orders unless and until the above-named tonnage of locomotive fuel coal certified as necessary by the Chicago, Milwaukee, St. Paul & Pacific Railroad Company is supplied.

A copy of this special directive shall be served on the Chicago, Milwaukee, St. Paul & Pacific Railroad Company through the Car Service Division of the Association of American Railroads and notice of this directive shall be given the public by depositing a copy in the office of the Secretary of the Commission, Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

Issued at Washington, D. C., this 27th day of January A. D. 1950.

INTERSTATE COMMERCE COMMISSION,
HOMER C. KING,
Director,
Bureau of Service.

APPENDIX A

Name of mine	Sales agent	Size	Tons
Alum Cave, Comet, Michaels, Talleydale	Walter Bledsoe & Co.	Egg	3,705
Black Hawk	Deep Vein Coal Co.	Egg	3,537
Sun Spot, Minnehaha	Republic Coal & Coke Co.	Egg	5,678
Tri State, Oak Leaf	Zimmerman Coal Co.	Egg	935
Oak Leaf	Carbon Mining Sales Co.	Egg	408
Friar Tuck, Jonay, Robin Hood, Regent	Sterling Midland Coal Co.	Egg	4,961
Maumee No. 20, Maumee No. 27, Maumee No. 30	Maumee Collieries Co.	Egg	4,065
Standard No. 1, Standard No. 2	Mid West Fuel Corp.	Egg	721
Maid Marian	Central Indiana Coal Co.	Egg	1,934

[F. R. Doc. 50-955; Filed, Feb. 2, 1950; 8:51 a. m.]

[S. O. 844, Special Directive 20]

CHICAGO, BURLINGTON & QUINCY RAILROAD CO.

FURNISHING CARS TO DESIGNATED MINES FOR LOADING OF CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD CO. LOCOMOTIVE FUEL COAL

On January 26, 1950, the Chicago, Milwaukee, St. Paul and Pacific Railroad Company certified, through its proper officer, that it had on that date less than nine (9) days' supply of fuel coal for locomotives (including fuel coal stock piled or loaded on cars on its line) and that not having available on its line a dependable source of supply of locomotive fuel coal, deems it necessary to increase its supply from the mine sources and in the average weekly amount herein specified:

Therefore, pursuant to the authority vested in me in Paragraph (b) of Service Order No. 844, the Chicago, Burlington & Quincy Railroad Company is directed:

To furnish weekly to the individual mines listed below sufficient cars suitable for the transportation of egg size locomotive fuel coal in the amounts shown:

Name of mine	Sales agent	Number of tons weekly
Cuba & Buckheart	United Electric Coal Co.	616
Key	Southern Coal Co.	1,533
Little Sister	Illinois Coal & Dock Corp.	2,158

No cars may be supplied these mines for loading of other than railroad locomotive fuel coal in the grade called for by railroad purchase orders unless and until the above named tonnage of locomotive fuel coal certified as necessary by the Chicago, Milwaukee, St. Paul and Pacific Railroad Company is supplied.

A copy of this special directive shall be served on the Chicago, Burlington & Quincy Railroad Company through the Car Service Division of the Association of American Railroads and notice of this directive shall be given the public by depositing a copy in the office of the Secretary of the Commission, Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

Issued at Washington, D. C., this 27th day of January A. D. 1950.

INTERSTATE COMMERCE COMMISSION,
HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 50-956; Filed, Feb. 2, 1950; 8:52 a. m.]

[4th Sec. Application 24831]

GRAIN FROM TWIN CITIES TO ILLINOIS AND INDIANA

APPLICATION FOR RELIEF

JANUARY 31, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-

haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: L. E. Kipp, Agent, for and on behalf of The Minneapolis & St. Louis Railway Company and other carriers named in the application.

Commodities involved: Grain, grain products, seeds and related articles, carloads.

From: Minneapolis, Minnesota Transfer and St. Paul, Minn.

To: Points in Illinois and Indiana.

Grounds for relief: Circuitous routes.

Schedules filed containing proposed rates: L. E. Kipp's tariff I. C. C. No. A-3712, Supplement 15.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 50-949; Filed, Feb. 2, 1950; 8:50 a. m.]

[4th Sec. Application 24832]

GRAIN FROM KANSAS CITY, MO.-KANS., TO CHICAGO, ILL.

APPLICATION FOR RELIEF

JANUARY 31, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: L. E. Kipp, Agent, for and on behalf of the Chicago and North Western Railway Company and other carriers named in the application.

Commodities involved: Grain, grain products, seeds and related articles, carloads.

From: Kansas City, Mo.-Kans.

To: Chicago, Ill.

Grounds for relief: Circuitous routes.

Schedules filed containing proposed rates: L. E. Kipp's tariff I. C. C. No. A-3712, Supplement 15.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 50-950; Filed, Feb. 2, 1950; 8:51 a. m.]

[4th Sec. Application 24833]

GRAIN FROM MISSOURI RIVER POINTS TO PEORIA, ILL.

APPLICATION FOR RELIEF

JANUARY 31, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: L. E. Kipp, Agent, for and on behalf of the Chicago Great Western Railway Company and Illinois Central Railroad Company.

Commodities involved: Grain, grain products, seeds and related articles, carloads.

From: Council Bluffs, Iowa, Omaha and South Omaha, Nebr.

To: Peoria, Ill.

Grounds for relief: Circuitous routes.

Schedules filed containing proposed rates: L. E. Kipp's tariff I. C. C. No. A-3712, Supplement 15.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 50-951; Filed, Feb. 2, 1950; 8:51 a. m.]

[4th Sec. Application 24834]

JUVENILE BOOKS FROM AKRON, OHIO TO THE SOUTHWEST

APPLICATION FOR RELIEF

JANUARY 31, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for and on behalf of carriers parties to his tariff I. C. C. No. 3592.

Commodities involved: Juvenile books and juvenile activity articles, carloads and less-than-carloads.

From: Akron, Ohio.

To: Points in the Southwest.

Grounds for relief: Circuitous routes and to apply over short tariff routes rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3592, Supplement 276.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 50-952; Filed, Feb. 2, 1950; 8:51 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File Nos. 31-569, 70-2296—70-2298]

AMERICAN POWER AND LIGHT CO. ET AL.

ORDER WITH REFERENCE TO EXEMPTION FROM COMPETITIVE BIDDING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 27th day of January A. D. 1950.

In the matter of American Power & Light Company, File No. 70-2298; Bear, Stearns & Co., File No. 70-2296; A. C. Allyn and Company, Inc., File No. 70-2297; B. J. Van Ingen & Co., Inc., et al., File No. 31-569.

American Power & Light Company ("American"), a registered holding company subsidiary of Electric Bond and Share Company, also a registered holding company, having filed an application (File No. 70-2298) pursuant to the Public Utility Holding Company Act of 1935 regarding the sale of all of its holdings of the common stock of Pacific Power & Light Company ("Pacific"), an electric utility subsidiary of American, and having requested, among other things, an exemption from the competitive bidding requirements of Rule U-50 with respect to such proposed sale; and

B. J. Van Ingen & Co., Inc. and others having filed an application (File No. 31-569) pursuant to section 3 (a) (4) of the act for an exemption from all of the provisions of the act applicable to registered holding companies other than section 9 (a) (2); and

Bear, Stearns & Co. and A. C. Allyn and Company, Inc., having each filed applications (File Nos. 70-2296 and 70-2297, respectively) pursuant to section 9 (a) (2) of the act, with respect to the acquisition by each of certain shares of the common stock of Pacific; and

The Commission having previously, by notice of filing and order for hearing and order for consolidation, issued January 6, 1950, directed that a consolidated hearing be held upon said declaration and applications, and that public notice be given thereof; and

American having, on January 17, 1950, filed an amendment to its declaration setting forth the terms of an offer for the purchase of the common stock of Pacific made by Allen & Company and others, and having requested in that amendment that, if by reason of lapse of time or any event thereafter occurring, the agreement with B. J. Van Ingen and Co., Inc., should no longer be in effect, the Commission at such time, and subject to such changes in said offer as might then be required by American, authorize American to accept said offer as it might then be modified and to carry out the agreement therein proposed for the sale of such stock; and

The Commission having, on January 19, 1950, directed that evidence be received initially at said hearing solely with respect to issue No. (2) in the Commission's order dated January 6, 1950, namely:

> Whether the proposed sale of common stock of Pacific by American should be exempted from the competitive bidding requirements of paragraphs (b) and (c) of Rule U-50.

and that after receipt of such evidence the record be closed with respect to such issue and certified to the Commission for action thereon; and

Public hearings having been held in accordance with the aforesaid order, the record having been closed with respect to the issue of exemption from competitive bidding, the record having been certified to the Commission, and the Commission having heard oral argument from all parties and participants desiring to be heard with respect to said issue; and the Commission having this date filed its memorandum opinion herein;

It is hereby ordered, That an exemption from the competitive bidding requirements of paragraphs (b) and (c) of Rule U-50 of the proposed sale of common stock of Pacific be, and the same is hereby granted, subject to the condition, however, that full and free negotiations be conducted by American under competitive conditions with any interested persons, including the respective groups headed by B. J. Van Ingen & Co., Inc. and Allen & Company.

The Commission having in its aforesaid Memorandum Opinion found that the provision of the contract between American and B. J. Van Ingen & Co., Inc., and others, if construed by the parties thereto in such manner as to make such contract continue in full force and effect notwithstanding the action of the Commission herein or adverse action by the Commission with respect to the sale therein proposed, is null and void as being inconsistent with public policy and with the provisions of sections 11, 12 (d) and 26 and other applicable sections of the act;

It is further ordered, That any provision in the contract dated January 4, 1950 between American and B. J. Van Ingen & Co., Inc., and others, having the effect of preventing, after the entry of this order, the full and free negotiation by American with all interested purchasers for the common stock of Pacific be, and is hereby, declared to be null and void and of no force and effect whatsoever.

It is further ordered, That the hearings in this matter with respect to the issues in the case not determined by this order shall be reconvened on January 31, 1950 at 10:00 o'clock, a. m., e. s. t., in such room as may be designated by the Hearing Room Clerk in Room 101, 425 Second Street NW., Washington 25, D. C., for the purpose of passing upon the merits of any amendment to the declaration which may then be presented by American setting forth the results of further negotiations for the sale by American of the common stock of Pacific.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 50-944; Filed, Feb. 2, 1950; 8:49 a. m.]

[File No. 70-1711]

CONSUMERS GAS CO.

ORDER GRANTING REQUEST FOR EXTENSION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 27th day of January 1950.

Consumers Gas Company, a subsidiary of the United Gas Improvement Company, a registered holding company, having requested a one year extension to January 27, 1951, of the time fixed by our Order of January 27, 1948 (Holding Company Act Release No. 7986), as extended by our Order of January 6, 1949 (Holding Company Act Release No. 8778), within which Consumers Gas Company may purchase a maximum of 400 shares of capital stock of Reading Gas Company from non-affiliated interests as shares become available for purchase; and

Consumers Gas Company having stated that to date no shares of the capital stock of Reading Gas Company have been purchased under the permission granted by the above orders, and that an additional one year extension is desired in order to consummate the said purchase program; and

It appearing to the Commission that the requested extension of time is not unreasonable or detrimental to the public interest or the interests of investors or consumers:

It is ordered, That Consumers Gas Company be, and hereby is, granted an additional period of one year from January 27, 1950 within which to consummate the proposed purchase program covered by our Order of January 27, 1948, subject, however, to the same conditions and reservation of jurisdiction as are imposed by said order.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 50-943; Filed, Feb. 2, 1950; 8:49 a. m.]

[File No. 70-2306]

NORTHERN STATES POWER CO.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 27th day of January A. D. 1950.

Notice is hereby given that an application has been filed with this Commission pursuant to sections 9 (a) and (10) of the Public Utility Holding Company Act of 1935 ("act") by Northern States Power Company ("Company"), a Minnesota corporation, which is a registered holding company and also a public utility operating company.

All interested persons are referred to said application on file in the office of this Commission for a statement of the transaction therein proposed, which is summarized as follows:

The Company proposes to acquire from The Minnesota Valley Electric Cooperative ("Seller"), a Minnesota corporation, pursuant to an agreement dated December 10, 1949, certain utility assets consisting principally of the existing electric distribution and street lighting system located in the City of Henderson, Sibley County, Minnesota, including certain rural electric distribution lines extending therefrom into adjacent suburban or rural areas, together with all equipment of and appurtenances to said system, all franchises, permits, contracts, leases, easements and rights-of-way under which any or all of said property is held or operated, and all Seller's electric service contracts (which the Company agrees to assume); but not including any of Seller's cash, accounts receivable for electric energy sold, merchandise and supplies, tools, trucks or other portable equipment. Said agreement further provides that the Company shall assume none of the liabilities of Seller with respect to customers' deposits or refundable customers' advances for construction, if any.

The base purchase price to be paid by the Company is $27,785, subject to adjustments as specified in the agreement of sale.

The purchase of said property is made contingent upon the Company's securing from the City of Henderson an electric distribution franchise and municipal service contracts in form satisfactory to the Company prior to June 30, 1950, the

agreed closing date. The parties further agree, at the time of closing, to enter into certain electric service contracts as specified in said agreement of sale.

The Company further states that the Henderson distribution and street lighting system is the only urban utility property now owned by the Seller; that the Seller operates primarily for the purpose of furnishing electricity to persons in rural areas not otherwise receiving central station service, and therefore wishes to dispose of said urban facilities; that said facilities serve electric energy at retail to approximately 300 customers in said City of Henderson and adjacent suburban areas and to approximately 10 customers in adjacent rural areas, with total gross operating revenue during the year ended September 1949 of approximately $24,427; that the surrounding territory is already being served by the Company; and that the Company will make effective in Henderson and adjacent areas its standard retail rates for all classes of service which, in the aggregate, will result in annual savings to customers of approximately $1,900 or 7.8%. The Company also states that, upon consummation of the proposed transaction, it will construct a new substation at the Henderson connection, and it anticipates that a substantial additional use will develop in the community as the result of improved service and lower rates.

The original cost, less depreciation, of the facilities to be acquired is estimated at $26,113 as of October 1, 1949. The Company proposes to charge the Electric Plant Acquisition Adjustment of $1,672 arising from the transaction to its Earned Surplus Account upon the consummation thereof.

It is stated that no state commission has jurisdiction over the transaction or any part thereof.

The Company requests the Commission to issue its order herein as soon as possible in order that the Company may make commitments for the construction of the substation and other facilities contemplated by the proposed transaction, and to provide in such order that the transaction shall be carried out within 60 days after June 15, 1950, which is the period provided in the agreement of sale for the final adjustments between the contracting parties.

Notice is further given that any interested person may, not later than February 10, 1950, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law proposed to be controverted; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after February 10, 1950, said application may be granted as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 50-941; Filed, Feb. 2, 1950; 8:48 a. m.]

[File No. 70-2311]

NORTHAMPTON ELECTRIC LIGHTING CO. AND NEW ENGLAND ELECTRIC SYSTEM

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 27th day of January A. D. 1950.

Notice is hereby given that a joint application has been filed with the Commission, pursuant to the Public Utility Holding Company Act of 1935, by New England Electric System ("NEES"), a registered holding company, and its subsidiary company, Northampton Electric Lighting Company ("Northampton"). Applicants designate sections 6 (b) and 10 of the act and Rule U-42 (b) (2) promulgated thereunder as applicable to the proposed transactions.

Notice is further given that any interested person may, not later than February 13, 1950, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law raised by said application proposed to be controverted or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after February 13, 1950 said application, as filed, or as amended, may be granted as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act, or the Commission may exempt such transactions as provided in Rule U-20 (a) and U-100 thereof.

All interested persons are referred to said application which is on file in the office of this Commission for a statement of the transactions therein proposed which may be summarized as follows:

Northampton proposes to issue and sell for cash to NEES, 1,200 shares of additional capital stock (par value $100 per share) of the aggregate par value of $120,000. Such additional shares are to be offered to NEES, the sole stockholder of Northampton, at the price of $400 a share, an aggregate of $480,000. NEES proposes to acquire such shares and will use available cash for such purpose.

Northampton is indebted to NEES in the amount of $150,000. Such indebtedness consists of advances and notes of which $100,000 bears interest at the rate of 3% per annum and the remainder is non-interest bearing. Northampton also presently has outstanding promissory 2¾% short-term notes in the aggregate amount of $330,000 maturing May 31, 1951. The notes carry the privilege of prior payment in whole or in part.

Northampton proposes to use the proceeds from the sale of additional shares of capital stock to retire its indebtedness aggregating $480,000, as indicated in the preceding paragraph.

The Massachusetts Department of Public Utilities has approved the issue and sale by Northampton of the additional shares of capital stock at the price of $400 a share.

Incidental services in connection with the proposed transactions by Northampton and NEES will be performed by New England Power Service Company, an affiliated service company, at the actual cost thereof. The cost to Northampton and NEES of such services is estimated not to exceed $1,000 and $200, respectively. Total expenses to be borne by Northampton are estimated at $1,192.

Applicants request that the Commission's order become effective upon the issuance thereof.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 50-942; Filed, Feb. 2, 1950; 8:49 a. m.]

UNITED STATES TARIFF COMMISSION

[List No. 14 (E)]

ALBERT GODDE BEDIN, INC.

APPLICATION FOR INVESTIGATION

JANUARY 31, 1950.

Application has been filed with the United States Tariff Commission for investigation, under the escape clause procedure, to determine whether as a result of unforeseen developments and of the concession granted in a trade agreement the articles listed below are being imported in such relatively increased quantities and under such conditions as to cause or threaten serious injury to the domestic industry producing like or directly competitive articles. The application was filed under the provisions of Part III of Executive Order 10082 of October 5, 1949.

Name of article	Purpose of request	Date received	Name and address of applicant
Stencil silk, dyed or colored (item 1205, Schedule XX, General Agreement on Tariffs and Trade).	Increase in duty....	Jan. 30, 1950	Albert Godde Bedin, Inc., New York, N. Y.

The application listed above is available for public inspection at the office of the Secretary, Tariff Commission Building, Eighth and E Streets NW., Washington, D. C., and in the New York Office of the Tariff Commission, located in Room 437 of the Custom House, where it may be read and copied by persons interested.

[SEAL] SIDNEY MORGAN, *Secretary.*

[F. R. Doc. 50-962; Filed, Feb. 2, 1950; 8:46 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 14252]

LEONARD AND ANNA HECKER

In re: Rights of the domiciliary personal representatives, et al., of Leonard Hecker, also known as Johann Leonhard Hecker and of Anna Hecker, nee Hauser, deceased, under insurance contract. File No. D-28-10931-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Barbara Karpf, nee Hecker, Elisabetha Hermann, nee Hecker, Ann Keifer, nee Hecker, Katharina Ulmer, nee Hecker, Ursula Hecker, Georg Hecker, Leonhard Hecker, Eugene Hecker, Luise Hecker and Else Hecker, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Leonard Hecker, also known as Johann Leonhard Hecker, and of Anna Hecker, nee Hauser, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That the net proceeds due or to become due to the persons identified in subparagraphs 1 and 2 hereof under a contract of insurance evidenced by policy No. 10,677,305, issued by The Equitable Life Assurance Society of the United States, New York, New York, to Mrs. Barbara Siems, together with the right to demand, receive and collect said net proceeds,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof and the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Leonard Hecker, also known as Johann Leonhard Hecker and of Anna Hecker, nee Hauser, deceased, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 16, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-967; Filed, Feb. 2, 1950; 8:54 a. m.]

[Vesting Order CE 479]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN NEW YORK AND CALIFORNIA COURTS

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it having been found:

1. That each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or the enemy-occupied territory identified in Column 2 of said Exhibit A opposite such person's name;

2. That it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A opposite such person's name, and such measures having been taken;

3. That, in taking such measures in each of such actions or proceedings, costs and expenses have been incurred in the amount stated in Column 4 of said Exhibit A opposite the action or proceeding identified in Column 3 of said Exhibit A;

Now, therefore, there is hereby vested in the Attorney General of the United States, to be used or otherwise dealt with in the interest of and for the benefit of the United States, interests in the property which said persons obtain or are determined to have as a result of said actions or proceedings in amounts equal to the sums stated in Column 4 of said Exhibit A.

The term "designated enemy country" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended. The term "enemy-occupied territory" as used herein shall have the meaning prescribed in rules of procedure, Office of Alien Property (8 CFR, Cum. Supp., 503.6).

Executed at Washington, D. C., on January 26, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested
		Item 1	
Genia Poclusnna	Germany	Estate of Faiga Finkelstein, deceased; Kings County Surrogate's Court, Hall of Records, Brooklyn, N. Y.; Docket No. A 9120/46.	$50.00
		Item 2	
District Hospital, City of Schorndorf.	do	Estate of Christian F. Reihs, a/k/a Christian F. Reiss, deceased; Superior Court, State of California, Los Angeles, County, No. 263185.	80.00
		Item 3	
Old Folks Welfare, City of Schorndorf.	do	Same	80.00
		Item 4	
Old Folks Welfare, Town of Haubersbronn.	do	Same	32.00
		Item 5	
Old Folks Welfare, Town of Grossheppach.	do	Same	32.00

[F. R. Doc. 50-969; Filed, Feb. 2, 1950; 8:54 a. m.]

[Vesting Order 14253]

HILDE PAGH HEILIG

In re: Rights of Hilde Pagh Heilig under insurance contracts. Files Nos. F-28-26839-H-2, 3, 5 and 6.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Hilde Pagh Heilig, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the net proceeds due or to become due under contracts of insurance evidenced by policies Nos. 9174832; 9174833; 9174834 and 9174835, issued by The Equitable Life Assurance Society of the United States, New York, New York, to Dr. Cornelia B. J. Schorer, together with the right to demand, receive and collect said net proceeds,

is property within the United States owned or controlled by, payable or de-

liverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 16, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-968; Filed, Feb. 2, 1950; 8:54 a. m.]

ETIENNE CHALLET

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property

Etienne Challett, Geneva, Switzerland, Claim No. 15009; property described in Vesting Order No. 666 (8 F. R. 5047, Apr. 17, 1943) relating to United States Letters Patent Nos. 2,161,781 and 2,163,457; and a ¾ interest in United States Letters Patent No. 2,250,357; and property described in Vesting Order No. 2436 (8 F. R. 16328, Dec. 4, 1943) relating to a ¾ interest in United States Letters Patent Nos. 2,121,283, 2,121,284, 2,124,461, 2,184,485, 2,198,761, 2,263,350 and 2,272,658.

Executed at Washington, D. C., on January 30, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-970; Filed, Feb. 2, 1950; 8:54 a. m.]

ELSIE HERMAN ESSER

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Elsie Herman Esser, Guatemala City, Guatemala, Claim No. 35645; 307 shares of the capital stock of Central American Plantations Corporation, registered in the name of the Attorney General of the United States, currently in the custody of Chase National Bank of New York, New York, $22,411 in the Treasury of the United States representing liquidating dividends from said shares.

Executed at Washington, D. C., on January 30, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-971; Filed, Feb. 2, 1950; 8:54 a. m.]

FRANCES COPE SETTI

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Frances Cope Setti a/k/a Frances Calenda, Florence, Italy, Claim No. 36976; $1,704.18 in the Treasury of the United States. All right, title and interest of Frances Calenda in and to the trust created under the will of Frances G. Foulke, deceased; Girard Trust Company, trustee.

Executed at Washington, D. C., on January 30, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-972; Filed, Feb. 2, 1950; 8:55 a. m.]

PETER ANTON POULSEN ET AL.

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Peter Anton Poulsen, Esbjerg, Denmark; Claim No. 39410; $1,333.26 in the Treasury of the United States.

Niels Peder Marinus Sørensen, Oxbøl, Denmark; Claim No. 39411; $444.42 in the Treasury of the United States.

Anne Augusta Kirstine Jensen, Oxbøl, Denmark; Claim No. 39412; $444.42 in the Treasury of the United States.

Alma Marie Danielsen, Oxbøl, Denmark; Claim No. 39413; $444.42 in the Treasury of the United States.

Executed at Washington, D. C., on January 27, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-924; Filed, Feb. 1, 1950; 8:49 a. m.]

ANTON AND JULIA PROHASKA

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Anton and Julia Prohaska, residing respectively in Houston, Tex., and Vienna, Austria; Claim No. 41005; $3,865.08 in the Treasury of the United States.

Executed at Washington, D. C., on January 27, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-925; Filed, Feb. 1, 1950; 8:50 a. m.]

[Supplemental Vesting Order 14264]

CARL RUHSTRAT

In re: Trust under will of Carl Ruhstrat, deceased. File No. D-28-8095-G-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the descendants, names unknown, of Ernst Ruhstrat, deceased; descendants, names unknown, of Erna Hofmann; and descendants, names unknown, of Hanna Horschik, who there is reasonable cause to believe are residents

of Germany are nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraph 1 hereof, in and to the trust created under paragraph Fourth of the will of Carl Ruhstrat, deceased, presently being administered by the Safe Deposit and Trust Company of Baltimore, Baltimore, Maryland, as trustee, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany); and it is hereby determined:

3. That to the extent that the descendants, names unknown, of Ernst Ruhstrat, deceased, descendants, names unknown, of Erna Hofmann; and descendants, names unknown, of Henna Horschik, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 16, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-921; Filed, Feb. 1, 1950; 8:49 a. m.]